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Holiday Greetings from NLIHC!

All of us at the National Low Income Housing Coalition are grateful for our members and partners who work with us to ensure the lowest-income and most marginalized people in America have safe, accessible, and affordable homes, during the pandemic and always. Your support is vital to our work. We wish you a peaceful and joyful holiday season.

Memo to Members & Partners will take a short break for the holidays. *Memo* will return on January 11, 2021.

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Coronavirus Relief and Appropriations

Congress Passes Extended Eviction Moratorium, #RentReliefNow and Funding for Housing and Community Development Programs!

After months of negotiations in Congress and advocacy by NLIHC members, partners and allies throughout the country, Congress passed on December 21 a \$2.3 trillion appropriations and COVID-19 relief bill that includes \$900 billion for coronavirus relief with essential emergency housing resources and protections and \$1.4 trillion to fund the federal government through fiscal year (FY) 2021. The relief bill includes \$25 billion in emergency rental assistance and a one-month extension of the eviction moratorium for nonpayment of rent issued by the Centers for Disease Control and Prevention (CDC) from December 31, 2020 to January 31, 2021. The bill now goes to President Trump, who has until December 28 to sign it into law.

This final relief bill will provide essential and desperately needed protections for renters, tens of millions of whom would otherwise be at risk of losing their homes this winter. This achievement was made possible by the extraordinary advocacy of NLIHC's members, partners and allies, and the leadership and tenacity of congressional champions Senator Sherrod Brown (D-OH), Representatives Maxine Waters (D-CA) and Denny Heck (D-WA), bipartisan negotiators Senators Mark Warner (D-VA), Susan Collins (R-ME), Joe Manchin (D-WV), and Rob Portman (R-OH), Senate Minority Leader Chuck Schumer (D-NY), and House Speaker Nancy Pelosi (D-CA).

For details on the housing provisions in the COVID-19 relief bill, see [NLIHC's fact sheet](#) and estimate of [state/territory allocations for the \\$25 billion in emergency rental assistance](#).

The spending bill provides HUD \$49.6 billion - more than \$12.4 billion above the president's request. This increased funding is due to the hard work of advocates across the nation and champions in Congress, including Senators Susan Collins (R-ME) and Jack Reed (D-RI) and Representatives David Price (D-NC) and Mario Diaz-Balart (R-FL), the chairs and ranking members of the House and Senate Transportation-HUD Appropriations Subcommittees.

For more details on the housing provisions of the FY21 spending bill, see [NLIHC's full analysis](#) and [updated budget chart](#).

While the funding provided in the appropriations package and relief bill are essential, much work remains to be done. When Congress returns in January, they must immediately begin work on comprehensive housing solutions to ensure housing stability for the lowest income renters during and after the pandemic, and to provide resources to keep people experiencing homelessness safe, healthy and housed as quickly as possible.

Read NLIHC's analysis of the housing provisions in the relief bill at: <https://bit.ly/34AkIyq>

Read NLIHC's estimate of emergency rental assistance allocations to states and territories at: <https://bit.ly/3h9A0iU>

Read NLIHC's analysis of the FY21 spending package at: <https://bit.ly/3rn38aW>

Read NLIHC's updated budget chart at: <https://bit.ly/2WA0Ib5>

Coronavirus, Disasters, Housing, and Homelessness

FEMA Changes Policy to Approve Non-Congregate Shelter Reimbursement for Duration of Emergency

NLIHC received confirmation from FEMA that the agency will approve reimbursement for non-congregate sheltering through its Public Assistance (PA) program for the “duration of the [COVID-19] emergency.”

This change will allow local and state officials to continue offering critical non-congregate sheltering programs needed to prevent and respond to coronavirus outbreaks among people experiencing homelessness and ensure non-congregate shelter residents can transition to permanent housing solutions when the pandemic recedes. This unprecedented decision was made thanks in part to the advocacy of the NLIHC-led Disaster Housing Recovery Coalition, a group of over 850 local, state, and national organizations working in the field of disaster recovery to ensure all disaster survivors are able to recover from disasters.

At the start of the pandemic, FEMA [modified](#) its PA guidelines to allow state and local governments as well as eligible non-profits to receive federal reimbursement for housing individuals experiencing homelessness in “non-congregate sheltering,” typically hotel rooms or other individual living arrangements. Congregate shelters – where large numbers of individuals share sleeping, eating, and bathroom arrangements – can facilitate the quick spread of coronavirus, placing shelter residents at high risk of infection, serious complications, and in worst cases death. FEMA reimbursements, provided at 75% of eligible costs, have allowed many states and cities to rapidly set up hotel room programs, helping to decrease overall shelter populations, prevent further spread of COVID-19, and ensure those most vulnerable to contracting the virus are safe.

Despite the success many areas of the country had in moving vulnerable individuals experiencing homelessness out of congregate shelter, FEMA program guidelines dictated that entities seeking federal reimbursement submit requests for reimbursement approval to FEMA regional administrators every 30 to 60 days. Without such approvals, entities conducting non-congregate sheltering are unable to seek reimbursement for eligible costs. This requirement has created a continuous threat of funding loss for non-congregate sheltering programs, as cash-strapped state and local governments are largely unable to fund such programs without federal assistance.

This rule change, first [issued](#) for California’s successful Project Homekey and Project Roomkey, no longer requires these periodic approvals. Instead, reimbursements for non-congregate sheltering will be approved nationwide until the national emergency ends. While the exact duration of the national emergency requires additional verification, the change will undoubtedly increase the stability of non-congregate sheltering programs across the country, allowing the programs to expand and improve without the threat of imminent cancellation of federal assistance.

Read an NLIHC best-practices document on non-congregate sheltering here: <https://bit.ly/2LK08oQ>

Read a press release on the change in California here: <https://bit.ly/38jG7gC>

Become a DHRC member and receive updates from the DHRC here: <https://bit.ly/3p0ziY2>

New Resource on Family Homelessness Released for Framework for an Equitable COVID-19 Homelessness Response

[Partners](#) leading the work on the [Framework for an Equitable COVID-19 Homelessness Response](#) on December 17 released new resources to help communities address the needs of families experiencing homelessness.

“Making the Case for Homeless Families and Children During the Pandemic” provides communities with the information they need to tailor services and support to meet the unique needs of children and families experiencing homelessness. The materials offer important background information on serving homeless families, as well as suggestions for how homeless service providers can adjust their services to better address families’ needs during COVID-19.

The materials include a [video](#) overview of the new resources, a [brief](#) that provides an overview of recommendations, and in-depth [guidance](#) for service providers.

See all *Framework* materials on family homelessness at: <https://housingequityframework.org/#section9>

Watch the video at: <https://youtu.be/3UxEM5N2B7g>

Access the brief at: <https://tinyurl.com/y9z5juy6>

Read the in-depth guidance at: <https://tinyurl.com/ya7nlba6>

Review all of the *Framework* materials at: <https://housingequityframework.org/>

Disaster Housing Recovery

Bill Introduced to Boost Accountability during Puerto Rican Disaster Recovery

Representatives Jesús “Chuy” García (D-IL), Adriano Espaillat (D-NY), and Nydia Velázquez (D-NY) introduced on December 17 the “Community Driven Recovery for Puerto Rico Act.” The bill would establish a Civil Society Task Force to ensure that Puerto Ricans have greater decision-making power in the ongoing recovery from Hurricane Maria, which struck the island in 2017, and Puerto Rico’s recent earthquakes.

The 13-member task force would be comprised of representatives from local government, community, foundations, business, labor, and higher education. Representatives would provide oversight and promote equity and inclusion in the recovery work being performed by FEMA, HUD, the Puerto Rico Housing Department, and the Puerto Rican Central Recovery and Reconstruction Office. The ongoing response to Hurricane Maria and the recent earthquakes has been slowed by federal inaction and criticized by Puerto Rican advocates as excluding the public from its decision-making processes. The Civil Society of Puerto Rico is largely viewed as immune from the political squabbles that have periodically erupted on the island in recent years and many advocates view them as ideal representatives to oversee the ongoing recovery.

Oxfam America, a long-time member of the NLIHC-led Disaster Housing Recovery Coalition’s (DHRC’s) Puerto Rico Working Group, spearheaded advocacy efforts around the bill. The DHRC Puerto Rico Working Group works to amplify efforts to release federal funding for Puerto Rico and ensure adequate public input in the recovery process. “Local people must be included and empowered in the use of federal recovery funds” said Adi Martinez, senior policy analyst for Puerto Rico at Oxfam America. “There is nothing more powerful or effective to secure transparency and ensure that federal dollars really meet people’s needs – than to give voice to community leaders.” Several other members of the DHRC Puerto Rico Working Group have also endorsed the bill, including the National Puerto Rican Agenda and the National Coalition for Latinxs with Disabilities.

Read the text of the bill at: <https://bit.ly/3mrf9J2>

Read a press release announcing the bill’s introduction at: <https://bit.ly/38eE8df>

Bill Introduced to Provide Immediate Housing Assistance to Low-Income Households during Natural and Economic Disasters

Senators Brian Schatz (D-HI) and Chris Van Hollen (D-MD) introduced the “[Crisis Housing Act](#)” on December 14. The bill would establish the Crisis Housing Assistance Program (CHAP), a new voucher program that would be automatically triggered by natural disasters and sharp rises in unemployment.

If enacted, CHAP would automatically activate when a disaster is declared under the Stafford Act, or when the 6-month moving average of the unemployment rate in a state increases drops more than 0.5% lower than the lowest state unemployment rate in the previous year. Once activated, CHAP would provide housing assistance through local public housing agencies for households earning up to 80 percent of the area median income and for households identified by FEMA as in need of housing assistance.

This assistance would come online within a month of the unemployment drop or disaster declaration and last for at least two years. Assistance could be used outside of the immediate disaster area, allowing households to move if a disaster substantially damages the local housing stock. The program would also include housing counseling to support households attempting to access permanent housing. FEMA housing programs have long been [criticized](#) by advocates as unable to meet the needs of low-income disaster survivors.

The bill is supported by the NLIHC and the NLIHC-coordinated Disaster Housing Recovery Coalition (DHRC). “Disasters often hit the lowest income households hardest, yet these same families struggle to receive the housing assistance they need afterwards. The result is often a predictable and entirely preventable rise in eviction and homelessness rates,” President and CEO of NLIHC Diane Yentel stated in a [press release](#) announcing the bill’s introduction. “If passed, the Crisis Housing Act would play a critical role in providing safe, accessible, and affordable homes to individuals with the greatest needs after a disaster by providing longer-term, flexible, rental assistance – helping them safely recover without the fear of being rendered homeless.”

Read the text of the bill at: <https://bit.ly/37uW4kZ>

Read a press release announcing the bill’s introduction at: <https://bit.ly/38g6OCD>

Government Accountability Office Report Refutes FEMA Claims about Disaster Housing Assistance Program

The Government Accountability Office (GAO) [released a report](#) on December 15 refuting FEMA’s claim that the Disaster Housing Assistance Program (DHAP) is less cost-effective than its other housing programs. DHAP – jointly administered by FEMA and HUD – provides disaster survivors with housing assistance vouchers that can be used to access affordable housing both inside and outside a disaster area. While DHAP was used successfully to house low-income disaster survivors by both Democratic and Republican administrations in the past, the program has not been activated for any recent disasters. When confronted by advocates, FEMA maintained DHAP was not cost-efficient and that it provided less assistance than FEMA’s other housing programs, including the Transitional Shelter Assistance Program that provides short-term hotel stays to disaster survivors, and their direct housing assistance programs which provide disaster survivors with temporary manufactured housing units. NLIHC and the NLIHC-led Disaster Housing Coalition have been [refuting](#) these claims since 2017.

The GAO report found FEMA could not make valid claims regarding the cost-efficiency of DHAP compared to other FEMA disaster housing assistance programs because the data necessary to make these comparisons are not collected by the agency. Further, the report found that while the assistance provided through DHAP varied for each disaster in which it was activated, the program provided as much as 17 percent more assistance to disaster survivors than other FEMA housing programs during past disasters.

This analysis not only bolsters advocates' arguments in favor of DHAP, but also identifies a potential violation of federal regulations. The National Disaster Housing Strategy – which FEMA is required by Congress to follow – states the agency must evaluate the cost-effectiveness of its housing assistance programs when choosing to activate them during disaster recovery efforts. As FEMA is not actively collecting cost-efficiency data, it cannot fulfill its obligations under the strategy. Although FEMA did not plan to collect these data, the report identified several data tracking initiatives due to be implemented by FEMA that could collect information needed to fulfill this requirement. The preliminary response to the report sent to the GAO by the Department of Homeland Security – FEMA's parent agency – stated it would be the data tracking initiatives.

The DHRC will continue to push for DHAP activation during future disasters.

Read the report at: <https://bit.ly/38hMCAo>

Learn more about FEMA's decision not to activate DHAP after Hurricane Maria at: <https://bit.ly/2KdoMxP>

Proposed FEMA Rule Would Create Roadblocks for Presidential Disaster Declarations

FEMA announced a [proposed rule](#) on December 14 that would change the formula used by the agency to recommend the President issue disaster declarations. The “Disaster Reform and Recovery Act of 2018” requires FEMA to review its system for recommending disaster declarations, and the proposed rule would make it more difficult for many states to receive disaster declarations by requiring disasters inflict substantially more damage before FEMA resources may be approved.

Under current guidelines, FEMA examines 6 factors when deciding to recommend the President issue a major disaster declaration. The most significant factor is the disaster's “cost of assistance” (COA). FEMA sets a baseline COA for each state every year by evaluating past disasters and the state population. When a disaster strikes, FEMA evaluates the damage to determine whether the COA for that specific disaster is above the minimum level. If it is, FEMA assumes the disaster is large enough in magnitude and devastation for state resources to be overwhelmed and federal resources to be necessary. FEMA will then typically recommend the President issue a disaster or major disaster declaration.

In the proposed rule, FEMA argues its major disaster declaration formula is flawed and does not accurately reflect when a disaster should be declared. FEMA is proposing instead to combine the baseline COA with a state's total taxable revenue. Under this change, a state's overall economy – not the economy of the area struck by the specific disaster – would be taken into account when determining the cost of disaster assistance.

Under this new system, places like California, New York, North Dakota, Washington, Massachusetts, Connecticut, and New Jersey would see an over 90% increase in their COA – meaning the damage needed to justify a major disaster declaration would have to be over 90% higher than before. A majority of states would see their baseline COAs increase by over 50%. Territories of the US, including Puerto Rico, would not be affected by this change due to incomplete data collection in these areas.

This rule would make it more difficult for less wealthy areas of large states, such as northern California, to receive disaster declarations. Beyond failing to receive FEMA assistance, these areas would also lose access to

programs like the Community Development Block Grant (CDBG)-Disaster Relief program, which provides long-term recovery funding, the Disaster Supplemental Nutrition Program (D-SNAP), which temporarily increases food assistance benefits in disaster areas, as well as low interest recovery loans from the Small Business Administration and numerous additional programs that require disaster declarations to operate. NLIHC and the NLIHC-led Disaster Housing Recovery Coalition – a group of more than 850 local, state, and national organizations that advocate for low-income disaster survivors – will continue to analyze the effects of this potential rule and seek to prevent or mitigate the harm it could cause disaster survivors.

Read the text of the proposed rule at: <https://bit.ly/3r6AyL3>

Coronavirus, Disasters, Housing, and Homelessness – Other

Recording Available of NLIHC’s December 14 National Call on “Coronavirus, Disasters, Housing, and Homelessness”

During last week’s national call on [coronavirus, disasters, housing, and homelessness](#), we received updated estimates on total back rent and utilities owed, heard about a new equity-based decision-making assessment, and discussed the state of COVID-19 relief negotiations on Capitol Hill.

Mark Zandi from [Moody’s Analytics](#) shared new research on the estimated back rent accrued during the pandemic. According to the study, approximately \$69.7 billion in back rent, late fees, and utilities have accumulated and, without an extension of the CDC’s moratorium, will come due January 2021. Brittani Manzo of [National Innovation Service](#) (NIS) shared the new [equity-based decision-making assessment tool](#). The tool, which is part of NIS’s [equity-based decision-making framework](#), provides concrete steps for organizations making equity-based decisions in policies, projects, and other processes.

We received field updates from the [Kansas Statewide Homeless Coalition](#) and [Housing Action New Hampshire](#). NLIHC’s Sarah Saadian shared updates from the Hill on the state of an appropriations package and the [latest coronavirus relief proposal](#). NLIHC is [advocating for the CDC to extend the eviction moratorium](#) or for Congress to pass a statutory moratorium in the interim.

NLIHC hosts national calls on coronavirus, disasters, housing, and homelessness every week. Join today’s call for a special, one-hour in-depth discussion about the coronavirus relief package – what is in the package, what’s not, what it means, and what’s next. Register for today’s call (Monday, December 21 at 2:30 pm ET) at: <https://tinyurl.com/ru73qan>

Watch a recording of the December 14 call at: tinyurl.com/y725ve3q

Access presentation slides at: tinyurl.com/y9a9lkh2

Additional Coronavirus Updates – December 22, 2020

National Updates

Advocacy

The National Innovation Service (NIS) released on December 8 a series of [Equity-Based Decision-Making Assessments](#) as part of the [Framework for an Equitable COVID-19 Homelessness Response](#).

The [National Resources Defense Council](#) urges policymakers to take immediate action to prevent the looming eviction crisis, noting that evictions and utility shut-offs are not just a product of the pandemic; they accelerate and exacerbate it.

Reporting

NLIHC President and CEO Diane Yentel was featured on [CNN International](#) to discuss the looming eviction crisis. Without federal intervention, tens of millions of renters will be at risk of losing their homes this winter.

“I think it’s very clear what the consequences will be if Congress does not provide an extended eviction moratorium and substantial rental assistance – and that is a tsunami of evictions,” NLIHC’s Diane Yentel told [CBS News](#). Watch the video clip [here](#).

[Politico](#) examines how the COVID-19 pandemic is exacerbating long-existing racial disparities in housing, highlighting that Black and Latino tenants will be disproportionately impacted by the COVID-19 eviction crisis. “Structural racism leaves people of color disproportionately low-income, rent-burdened, or homeless. These inequities compound the harm done by COVID-19,” said NLIHC’s Diane Yentel.

NLIHC’s Diane Yentel spoke to the [Washington Post](#) about the impending eviction crisis, noting the “catastrophic” consequences of tens of millions of people losing their homes this upcoming winter during a spike in COVID-19 cases. Advocates continue to urge Congress to enact a relief bill with robust housing protections and provisions and extend the CDC eviction moratorium.

The [New York Times](#) reports that jurisdictions across the U.S. are scrambling to distribute critically needed federal CARES Act funds to struggling tenants before the December 30 deadline. “The idea of reverting that money back to the Treasury just as the eviction moratoriums expire and renters are on the brink is absurd and cruel,” said NLIHC’s Diane Yentel.

[NBC News](#) reports that landlords have continued to evict tenants despite the CDC eviction moratorium. The article highlights advocates’ concerns about a wave of evictions when the federal eviction moratorium expires on December 31. “If policymakers don’t intervene, we are facing the very real possibility of tens of millions of people losing their homes this winter,” said NLIHC’s Diane Yentel.

[CNBC](#) discusses essential housing provisions included in the bipartisan coronavirus relief bill, including the \$25 billion for emergency rental assistance and one-month extension of the CDC eviction moratorium. The article cites NLIHC’s Diane Yentel’s [statement](#) on the compromise relief bill.

[U.S. News & World Report](#) examines how allowing the federal eviction moratorium to expire at the end of the month will further fuel the raging pandemic. NLIHC’s Diane Yentel outlines the urgent need to extend the moratorium and provide emergency rental assistance.

[HuffPost](#) outlines why the looming eviction crisis is not only a moral failing and financial catastrophe but an unprecedented public health disaster. “It’s extraordinarily shortsighted and cruel to allow this many evictions to occur. This was entirely predictable. And the solutions are simple even if they’re not easy,” said NLIHC’s Diane Yentel.

The [Guardian](#) reports that without federal intervention, tens of millions of renters are at risk of eviction when the CDC eviction moratorium expires on December 31. “Rent is still due, and that rent is accruing along with utility bills and, in many cases, fees and penalties landlords are charging. That is why it is essential the eviction moratorium be paired with substantial rental assistance,” said NLIHC’s Diane Yentel.

[HuffPost](#) reports that the pandemic's looming eviction crisis will disproportionately impact women, noting that eviction has always impacted women of color at higher rates than any other group due to the intersections of racism and sexism. If Congress fails to enact a relief bill that includes housing protections and resources, "we're facing a very real possibility of tens of millions of people losing their homes in the dead of winter, during a spike in COVID-19," said NLIHC's Diane Yentel.

Diane Yentel, NLIHC president and CEO, and Eric Dunn, director of litigation at the National Housing Law Project, joined [KALW's Your Call](#) to discuss what steps the federal government must take to prevent a massive wave of evictions in January.

[USA Today](#) reports that state and local programs to house people experiencing homelessness in non-congregate shelters, such as hotels and motels, across the U.S. are abruptly ending, causing concern that hotel residents will be forced back into congregate shelters, encampments, or the streets.

[USA Today](#) explains why millions of people in America could face eviction after the holidays and outlines how people can help struggling renters and organizations that serve people experiencing homelessness.

The [New York Times](#) reports that residents of weekly rentals are concerned about being forced from their homes if they are unable to pay rent. It is unclear if the CDC eviction moratorium protects tenants of weekly rental lodgings, which has resulted in some owners pushing out renters who cannot pay rent.

According to new data released by researchers at the University of Chicago and the University of Notre Dame, [nearly 8 million Americans](#) have fallen into poverty over the past five months. Since June, poverty has risen the most for Black Americans and those with high school degrees or less.

[States are grappling](#) with what steps to take next as they brace for the impending eviction crisis. Eviction moratoriums instituted by 44 states beginning in March have mostly expired, but some states are considering extending eviction bans. Advocates are urging Congress and state officials to extend moratoriums and fund rental assistance programs.

An op-ed in [USA Today](#) outlines the urgent need for Congress to enact a COVID-19 relief package that includes accessible emergency rental assistance and a uniform, enforceable eviction moratorium.

The [Wall Street Journal](#) reports on the surge of evictions that is expected in January if the federal government does not extend the CDC eviction moratorium.

[CNBC](#) spoke to researchers about how the eviction crisis could increase the spread of COVID-19 in the U.S. A recent research study found that as many as 433,700 excess cases of COVID-19 and 10,700 additional deaths occurred when states lifted their eviction moratoriums between March and September.

State and Local News

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

Arkansas

Cleburne County Circuit Judge Holly Meyer [declared the CDC eviction moratorium unconstitutional](#) under both the U.S. and Arkansas Constitutions. The judge reasoned that because Arkansas did not take action to help tenants avoid eviction, the court should not either.

California

[Two million California renters](#) could be forced from their homes early next year, with single mothers especially at risk of eviction. This month, the U.S. Census Bureau’s Household Pulse Survey estimated that more than 3 million California renters turned to credit cards or loans, more than 3 million tapped into their savings or sold assets, and approximately 2 million borrowed money from friends or family.

A [report from the USC Price Center for Social Innovation](#) finds that widespread economic precarity existed prior to the pandemic for Los Angeles renters, who were already cutting back on basic needs to pay rent. The authors conclude that returning to a pre-pandemic state is not enough. In addition to current emergency tenant protections, policymakers need to address deeper issues within the rental market.

Approximately 30 families who had been residing in a motel for months and even years were [forced from their rooms](#) when L.A. County took steps to purchase the property and convert it into housing using Project Homekey funds. After protests from the residents, local organizers, and attorneys, county officials decided to delay the purchase while they determine if the occupants have rights of residency – and if not, where they will go.

[Millions of California renters](#) are at risk of eviction as federal and state emergency tenant protections are soon to expire, raising fears of an increase in homelessness during the worst COVID-19 surge yet.

[CalMatters](#) reports that a coalition of Los Angeles eviction defense attorneys is seeking to postpone all trials until the end of the pandemic. “The court is not doing its part to flatten the curve and substantially prejudicing low-income tenants’ due process rights by forcing them to choose between their day in court and likely exposure to COVID-19,” the coalition wrote in a letter to Los Angeles County Superior Court’s presiding judge.

The [Chico City Council](#) on December 8 voted 5-2 to implement an emergency ordinance that makes camping in city parks a misdemeanor instead of an infraction. The council’s decision comes at a time when there are no new solutions for adding shelter beds in the city and local homeless service providers are scrambling to prepare for a surge in need when eviction protections expire.

Colorado

The [Colorado Sun](#) reports that some landlords are refusing to participate in state rental assistance programs for various reasons, preventing struggling renters from accessing the assistance needed to remain in their homes when eviction moratoriums lift.

Connecticut

Without federal intervention, a [tsunami of Connecticut residents](#) – disproportionately Black and Latino renters – are expected to lose their homes in January. While Governor Ned Lamont’s administration has said it is committed to preventing evictions, there do not appear to be any immediate plans to extend or strengthen the state’s eviction moratorium or allocate additional funds into the rental assistance program.

Florida

[CNN](#) reports on the COVID-19 housing crisis, highlighting data indicating that tenants in Florida are among those at the highest risk of eviction due to a lack of tenant protections in the state. According to Administrative Judge Robert Lee of Broward County Court, evictions are expected to triple in the county during the first three months of 2021, from 5,000 to 15,000.

The [Orlando Sentinel](#) examines the pandemic’s impact on affordable housing projects in Central Florida. When the pandemic hit, local governments had to quickly shift their focus from building more affordable housing to

standing up rental assistance and eviction prevention programs. Advocates and housing providers are concerned about an avalanche of eviction filings when the federal eviction moratorium expires on December 31.

Predictions of mass evictions prompted the [Tallahassee City Commission](#) to approve a \$250,000 program aimed at landlords funded through existing local, state, and federal funding. In addition to establishing the Landlord Risk Mitigation Fund, city commissioners are exploring options to create outdoor shelters.

Indiana

The [Indianapolis Star](#) reports that as Congress debates COVID-19 relief, Hoosiers' are struggling to afford rent, food, and other basic needs. The Hoosier Housing Needs Coalition has joined NLIHC's call for the CDC to extend and improve its federal eviction moratorium.

As of November, [housing assistance](#) was the state's top unmet need and the second reason Hoosiers called [Indiana 211](#).

Kentucky

A group of Louisville organizations wrote an op-ed in the Courier-Journal [calling on Mayor Greg Fischer](#) to use his authority to immediately establish a robust local eviction moratorium. Over 2,000 Louisville residents had filled out the [form](#) they created to email the mayor and ask him to use his emergency powers to enact a local eviction ban. Mayor Fischer penned an op-ed in the [Courier-Journal](#) announcing that he does not have the legal authority to implement an eviction moratorium.

Maine

An op-ed in the [Bangor Daily News](#) outlines the urgent need for COVID-19 relief for Mainers experiencing housing and food insecurity. One in three Maine households report being unable to meet basic household expenses, and 20,000 to 40,000 households are behind in their rent and at risk of eviction.

Massachusetts

Residents in [100,000 households across Massachusetts](#) face the risk of eviction if Governor Charlie Baker or the legislature fail to take action. Advocates are urging state legislators to pass the [Guaranteed Housing Stability Act](#), legislation that would protect both renters and small landlords and establish a housing stability and recovery fund.

Michigan

The [Detroit Free Press](#) reports that homeless shelters and service providers across metro Detroit are bracing for a surge in need as the temperature drops, COVID-19 cases soar, and federal and state eviction protections expire at the end of the month.

The [Detroit Free Press](#) discusses the various federal benefits that are set to expire this month, including the federal eviction moratorium and unemployment assistance. According to [Michigan's 211 dashboard](#), rental assistance and food pantries are among the top pandemic-related needs.

More than 50 organizations joined the Michigan Coalition Against Homelessness in [urging](#) state leaders to add \$20 million to the state's Eviction Diversion Program.

Missouri

A [Missouri landlord](#) removed the front door of a tenant's home because she was two months late on rent – an action that violates state statutes. Legal Services of Eastern Missouri receives calls daily from tenants who are having their doors or locks removed, being locked out, or having their utilities shut off. These actions constitute unlawful evictions.

Approximately [50,000 households in the Kansas City metro](#) area are at risk of homelessness. Kansas City Mayor Quinton Lucas [requested](#) that Jackson County's 16th Judicial Circuit extend and expand the eviction moratorium through June 2021.

Montana

[Montana shelters](#) are bracing for a high demand this winter when the eviction moratorium expires this month. Shelters in Montana have already seen growing demand in shelter needs from years of cost-of-living increases in the state.

Nevada

Nevada Governor Steve Sisolak [announced](#) a new statewide residential eviction moratorium through March 31.

New York

Multiple sources say that while the New York State Senate has proposed a [blanket eviction moratorium](#), Assembly Speaker Carl Heastie is pushing back against the proposal and advocating for a narrower measure.

North Carolina

North Carolina Chief Justice Cheri Beasley announced on December 11 that non-essential in-person court proceedings will be [halted for 30 days](#) due to a surge in COVID-19 cases. [Sixty eviction cases](#) occurred in Forsyth County on Friday, December 11.

[Eviction filings are on the rise](#) in Mecklenburg County as federal stimulus programs are set to expire this month. Through the end of November, nearly 87,000 summary ejection complaints have been filed across North Carolina in civil district and civil magistrate courts this year. About a quarter of the approximately 8,000 eviction cases pending in North Carolina this fall were in Mecklenburg County.

Oregon

[Clackamas County](#) has begun the process of purchasing a motel and converting it into a shelter for people experiencing homelessness. Elected board members, however, disagree over the plans, with one commissioner expressing confusion about whether the property, acquired under Project Turnkey, would provide shelter for wildfire survivors or other people experiencing homelessness.

Oregon tenant advocates are reporting an [uptick in tenant harassment](#) as landlords, unable to evict tenants due to the eviction moratorium, are pressuring renters to self-evict. A [recent report](#) from the Community Alliance of Tenants and Portland State University found that of the 460 renters surveyed, 22% reported “hostile, harassing, or threatening behavior from their landlords or property managers.” This rate rose to 32% for tenants who identified as BIPOC.

Pennsylvania

The [Philadelphia Inquirer](#) editorial board outlines the urgent need for Congress to extend the federal eviction moratorium and provide critical financial assistance to tenants, landlords, and homeowners.

[Penn Live](#) examines how the coronavirus and resulting social distancing guidelines have sharply cut shelter space in Harrisburg, complicating efforts to serve people experiencing homelessness this winter. The pandemic has exacerbated Harrisburg's existing shortage of affordable housing and homeless shelters.

Tennessee

State or local health officials may need to take action to prevent up to [310,000 Tennessee families](#) from losing their homes when the CDC eviction moratorium expires on December 31. State- or local-level health actions to delay evictions were discussed during a recent meeting organized by the Tennessee Black Caucus of State Legislators.

According to the Tennessee Housing Development Agency, between [220,000 and 310,000 renters](#) are behind on their rent. The amount of back rent owed is between \$457 million to \$559 million.

Texas

The [University Star](#) examines Texas' eviction process, highlighting that the state's laws favor landlords over tenants. The article discusses the movement for the right to legal counsel and the urgent need for emergency rental assistance.

Utah

The [Salt Lake Tribune](#) reports that while federal and state renter protections have dramatically reduced the number of evictions during the pandemic, hundreds of evictions each month are still taking place in Utah. Landlords have used a combination of loopholes in the law, a lack of enforcement, and the scarcity of legal representation for tenants to continue evicting renters despite the moratoriums.

[Weber County advocates](#) are warning of a surge of evictions when the federal eviction moratorium expires at the end of the year. While most of the county's rental assistance funds are running out, the need for assistance remains high.

Washington

Rachael Myers of the Washington Low Income Housing Alliance co-authored an op-ed in [Crosscut](#) outlining the urgent need for Washington legislators to address the impending but entirely preventable tsunami of evictions. The authors urge the governor to extend the state's eviction moratorium to allow legislators to put longer-term solutions into place.

Washington DC

A [judge in D.C. Superior Court](#) ruled on December 17 that the District's ban on new eviction filings during the pandemic is unconstitutional. While the decision does not permit actual evictions to occur, it paves the way for landlords to begin the eviction process and for future challenges to the moratorium.

Guidance

Department of Housing and Urban Development

[New Resources for DCTA Recipients and Smaller Distressed Communities](#)

[COVID-19 Homeless System Response: Victim Service Provider - Comparable Database ESG-CV Project Set-Up Tips](#)

Additional Disaster Housing Recovery Updates - December 22, 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.

Disaster Legislation

Senators Brian Schatz (D-HI) and Chris Van Hollen (D-MD) on December 14 introduced the “[Crisis Housing Act](#),” legislation that would establish a new housing assistance program for low-income families and individuals during natural and economic disasters. Read a [one-pager](#) on the bill or the [text of the bill](#).

Reporting

Amid record-breaking wildfires, the relentless hurricane season, and the ongoing pandemic, Americans have spent [more time in Red Cross emergency lodging in 2020](#) than in any other year over the past decade. People relied on Red Cross disaster housing more than one million times this year – more than four times the annual average from 2011 to 2019.

[Slate](#) reports on FEMA’s title documentation requirements, which continue to prevent hundreds of thousands of disaster survivors from accessing critically needed aid and discusses actions the Biden administration should take to remove these barriers. The article mentions the “[Housing Survivors of Major Disasters Act of 2019](#)” and the sworn statement Ayuda Legal Huracán María, Fundación Fondo de Acceso a la Justicia, and Servicios Legales de Puerto Rico – all members of the DHRC – helped to develop. See an [NLIHC fact sheet on title issues](#) for more information.

Guidance

FEMA Fact Sheet: [Individual and Households Program: Remote Inspections](#)

Hurricane Zeta

FEMA [announced](#) that President Trump approved a Major Disaster Declaration for Alabama, making federal disaster assistance available to supplement recovery efforts in the areas impacted by Hurricane Zeta in October. Individual Assistance (IA) is available to individuals in seven counties. Public Assistance (PA) funds are available on a cost-sharing basis in 19 counties. FEMA issued a [public notice](#) for the 19 counties approved for PA.

Wildfires in the West

Oregon

[Eight wildfire-affected Oregon counties](#) have begun acquiring hotel rooms under Project Turnkey, a program intended to house as many as 1,000 displaced survivors of the wildfires and people experiencing chronic homelessness in 20 hotels bought by the state.

Our Homes, Our Votes

Reps. Garcia and Scanlon Introduce “Our Homes, Our Votes Act”

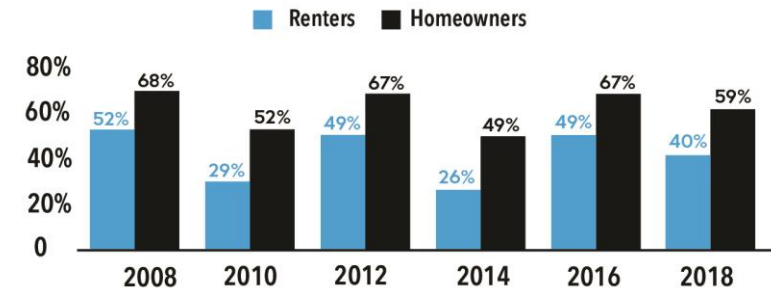
Representatives Jesús “Chuy” García (D-IL) and Mary Gay Scanlon (D-PA) introduced on December 9 the “*Our Homes Our Votes Act*,” a bill that facilitates voter registration for residents of federally subsidized housing by allowing them to register to vote as they sign their lease. The bill has 18 original cosponsors.

The “Our Homes Our Votes Act” bill adds federally subsidized housing to the “National Voter Registration Act” (better known as the “Motor Voter Law”). The bill:

- Allows eligible and interested tenants in subsidized housing administered by a public housing agency (PHA) to register to vote as they sign their lease document without providing duplicate information.
- Requires PHA’s to transmit these voter registration forms to local election authorities in a timely manner.
- Designates private landlords of subsidized housing (such as those supported by Low Income Housing Tax Credits, the HOME program, the national Housing Trust Fund, or USDA rural housing programs) as “voter registration agents” responsible for distributing voter registration forms and helping tenants fill them out if needed.

Crucially, the bill would make clear that federally subsidized housing providers are expected to conduct voter registration activities at lease up. Census data show large discrepancies in registration and voter turnout between low- and high-income voters and between renters and homeowners. In 2016, 85% of people with incomes over \$100,000 were registered to vote and 74% voted compared with 60% of people with incomes below \$20,000 who were registered and only 38% who voted. In 2016, 67% of homeowners reported voting, but just 49% of renters reported voting. By creating additional opportunities for voter registration, the bill would help address one of the voting challenges low-income renters face.

U.S. Citizens Who Reported Voting in National Elections by Housing Tenure (2008-2018)



Source: November 2008-2018 Current Population Survey data.



“The Our Homes, Our Votes Act is a simple solution to one of the most persistent voter disparities in our democracy,” stated NLIHC President and CEO Diane Yentel in a press release about the bill. “Renters care deeply about voting, but they have more barriers to doing so successfully. One of the most common reasons renters vote at lower rates is that they move more frequently than homeowners, and they have to update their voter registration at each new address. This bill will make it clear to all public housing agencies and other

housing providers who use federal housing subsidies that voter registration is an important part of the lease-up process.”

The bill reflects best practices that emerged from NLIHC’s *Our Homes, Our Votes: 2020* nonpartisan voter and candidate engagement campaign focused on increasing low-income renter turnout and elevating the importance of housing as an electoral issue. Many housing providers engaged in *Our Homes, Our Votes: 2020* began providing voter registration at lease up in order to ensure their residents have a voice in upcoming elections.

Read a press release announcing the bill’s introduction here: <https://bit.ly/2J4dbR4>

Opportunity Starts at Home

Campaign Launches Call to Action, Sends Letter to CDC Director

The [Opportunity Starts at Home](#) multisector affordable homes campaign sent a [letter](#) on December 16 to Dr. Robert Redfield, Director of the Centers for Disease Control and Prevention (CDC), urging him to take immediate action to prevent a catastrophic wave of evictions this winter by extending, improving, and enforcing the federal eviction moratorium. The letter was signed by 49 organizations from an array of sectors, including health, education, food security, civil rights, faith, homelessness, seniors, child well-being, environmental protection, municipal governance, gender equity, animal protection, and more. Signatories include: AARP, American Academy of Pediatrics, American Heart Association, Catholic Charities USA, Healthy Schools Campaign, Cleveland Clinic, Food Research & Action Center, Humane Society, NAACP, National Education Association, National League of Cities, Natural Resources Defense Council, the Episcopal Church, and many more. Click [here](#) to read the letter.

Additionally, the campaign launched a [Call to Action](#) in which advocates can send a pre-formatted letter to their senators and representatives, urging them to enact the recently released bipartisan pandemic relief bill. The bill, which was introduced on December 14 by a bipartisan group of senators and representatives, includes \$25 billion for emergency rental assistance and a one-month extension of the federal eviction moratorium issued by the Centers for Disease Control and Prevention (CDC). This bipartisan emergency relief bill is an essential and urgently needed step towards keeping low-income renters housed this winter. Click [here](#) to send a letter now!

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](#).

HUD

HUD and Other Federal Agencies Publish Joint Final Rule on Equal Participation of Faith-Based Organizations

HUD and 8 other federal agencies published a joint final rule on “[Equal Participation of Faith-Based Organizations](#)” (§5.109) on December 17. The drastic changes included in the rule were proposed earlier this year with only a 30-day comment period (see *Memo 02/18*). The final changes remove the requirement that faith-based service providers receiving federal funds take reasonable steps to refer the people they serve to alternative providers if requested, and the rule strips away the requirement that providers give beneficiaries written notice of their religious freedom rights. Among other changes, HUD would expand the existing

religious exemption that allows faith-based organizations to accept federal grants and discriminate in employment. These changes put the interests of taxpayer-funded entities ahead of the needs of people seeking critical services. The rule is set to go into effect on January 19, 2020, a day before the inauguration of President-Elect Joe Biden.

The joint rule is intended to implement [Executive Order \(EO\) 13831](#) issued on May 3, 2018. In addition to HUD, the other federal agencies included in the joint rule are the Departments of Agriculture, Education, Justice, Health and Human Services, Homeland Security, and Veterans Affairs, and the Agency for International Development.

HUD's portion of the rule remains consistent except for a few changes made in response to comments submitted during the 30-day period:

- HUD updates language regarding programs funded by indirect Federal financial assistance to language similar to what other agencies are using: “an organization that participates in a program funded by indirect Federal financial assistance need not modify its program or activities to accommodate a beneficiary who chooses to expend the indirect aid on the organization's program and may require attendance at all activities that are fundamental to the program.”
- All agencies have added regulatory language to clarify that these discrimination and disqualification provisions prohibit discrimination on the basis of the organization's religious exercise, which means to disfavor an organization, including by failing to select an organization, disqualifying an organization, or imposing any condition or selection criterion that otherwise disfavors or penalizes an organization in the selection process or has such an effect: 1) because of conduct that would not be considered grounds to disfavor a secular organization; 2) because of conduct that must or could be granted an appropriate accommodation in a manner consistent with RFRA or the Religion Clauses of the First Amendment to the Constitution; or 3) because of the actual or suspected religious motivation of the organization's religious exercise.
- All agencies update the prohibitions against agencies discriminating in selecting and disqualifying an organization, so as to prohibit such conduct on the basis of religious character and affiliation and add such a prohibition against discrimination on the basis of religious exercise with additional language based on the applicable Free Exercise Clause and RFRA standards.
- HUD adds clarifying language for notices in regard to conscience protections.

Americans United for Separation of Church and State provided a four-page [background overview](#) about the proposed rules for HUD and the other eight agencies, as well as [examples of social services](#) programs affected and likely harms. In addition, the Coalition Against Religious Discrimination (CARD) provided an [18-page comment template](#) that offers a deeper analysis of the rule when it was proposed.

NLIHC plans to follow up with an analysis of the final rule and its changes from the proposal.

The final joint rule in the *Federal Register* is at: <https://bit.ly/2Ke9ysn>

An easier to read version of the final joint rule is at: <https://bit.ly/2LMmaHJ>

NLIHC's comment letter opposing HUD's proposed rule: <https://tinyurl.com/y97rvy6c>

NLIHC's redline showing proposed changes to §5.109 is at: <https://bit.ly/2uGs1WE>

Americans United's four-page background explanation of the proposed rule changes is at: <https://bit.ly/2UKvtdH>

Americans United’s examples of social services programs affected, and potential harms is at: <https://bit.ly/2P6QJH1>

President Trump’s Executive Order (EO) 13831 is at: <https://bit.ly/38qHRDs>

Research

New Research Documents Eviction Patterns in Richmond, Virginia

A paper in *Housing Policy Debate*, “[Eviction and Segmented Housing Markets in Richmond, Virginia](#),” argues that eviction and the threat of eviction play a role in segmenting the housing market and creating targeted housing scarcity for specific groups of tenants. The owners of a handful of lower-quality buildings, representing about 9% of all rental homes in Richmond, are responsible for 25% of all evictions. Interviews with renters suggested that the threat of an eviction record is used to keep renters in segregated and poor-quality housing.

The authors argue that eviction and the threat of eviction can keep renters in lower-quality housing. Because an eviction record can make a renter less attractive to other landlords, a renter’s housing options can be restricted by eviction. Somewhat surprisingly, then, eviction can be a means of increasing the demand for the lowest-quality housing when renters have few alternatives.

The authors constructed a large-building database for all multifamily buildings in Richmond with more than 25 units, which includes 31,676 units in 157 properties. They collected property characteristics, ownership and financing data, eviction filings between 2015 and 2018, and housing code violation data.

Their analysis found that some landlords are more likely to pursue evictions than others. Owners of large multifamily buildings in their database were responsible for 77% of all evictions in Richmond between 2015 and 2018, despite owning just 61% of the rental housing stock. Richmond’s public housing authority, the Richmond Redevelopment and Housing Authority (RRHA), accounts for about 7% of all rental housing in the city but was responsible for about 14% of all eviction judgments in 2018. Many of these evictions were for relatively small sums—in one property owned by RRHA, four-fifths of the judgments against tenants were for less than \$300. The top 10 most frequently evicting owners own about 4,600 rental homes (about 9% of all rental housing in the city) but account for about 25% of all eviction judgments between 2015 and 2018. The majority of all evictions during that time were pursued by just 32 owners.

The analysis also sheds light on the geography and housing characteristics of high-evicting properties. While Richmond’s overall eviction rate is about 11%, evictions are highly geographically concentrated. In neighborhoods that are majority white, eviction rates are below 5%, while in some majority Black and Latino neighborhoods the rate exceeds 30%. The highest-evicting properties, most located in clusters on the north and south sides of the city, have high concentrations of housing code violations for unsafe and unfit structures.

The authors conducted interviews with 25 Richmond tenants who were experiencing eviction. Residents reported choosing to accept late fees for rent so that they to be able to pay for other necessities like utilities and transportation. Those who were able to remain in their current homes (often with the help of a legal aid attorney or social service agency) reported having few alternatives because of high costs, previous evictions, or a criminal record. Interviews suggested that when evicted renters moved, they were often forced into buildings with lower standards, short-term solutions like motels, or in with family and friends. From the interviews, the authors infer that landlords use the threat of evictions to keep tenants in housing, to extract additional fees, and generally to restrict tenants’ future housing options. They argue that in addition to addressing low incomes, policymakers need to attend to the power imbalance that makes eviction cheap for landlords.

The paper can be found at: <https://bit.ly/3gNDwzu>

Housing Cost-Burdened Renters in Los Angeles More Likely to Cut Back on Basic Needs to Afford Housing

A report from the USC Price Sol Center for Social Innovation, “[How Do Renters Cope with Unaffordability? Household-Level Impacts of Rental Cost Burdens in Los Angeles](#),” finds that housing cost-burdened renters, who spend more than 30% of their income on housing, are more likely to have cut back on spending for other basic goods than renters who are not cost-burdened. Over 64% of cost-burdened renters reported having cut back on food spending in order to pay rent, and around a fourth of cost-burdened renters were forced to cut back for more than a year.

The report describes the findings from a door-to-door household survey of 794 renter households conducted in South and Central Los Angeles between January and October 2019. Surveyors focused on two neighborhoods characterized by high poverty, large immigrant populations, a high proportion of cost-burdened renters, and gentrification pressure. The median monthly household income among respondents was \$2,600, while the median gross rent was \$1,342. Seventy-three percent of all surveyed households were cost-burdened, and 48% were severely cost-burdened, spending more than half their income on rent. Respondents were racially and ethnically diverse: 56% were Latino, 14% non-Latino white, 23% non-Latino Black, and 6% Asian.

The survey found that cost-burden is not evenly distributed by race and ethnicity. While white and Asian households were less likely to be cost-burdened, Black households were more likely to be cost-burdened. Spanish-speaking households were also more likely to be cost-burdened: 20% of all households did not have someone over age 14 who spoke English as their primary language, compared to 25% of severely cost-burdened households.

Renters who were cost-burdened were more likely to make cutbacks in basic needs. Sixty-four percent of cost-burdened renters had cut back on food, compared to 57% of non-cost-burdened renters in these neighborhoods. Twenty-four percent had cut back on health and medical needs in the past two years, compared to 16% of non-cost-burdened renters. They found that cost-burdened and severely cost-burdened households were cutting back at roughly similar rates.

Respondents were also asked whether and how they could cover an unanticipated \$400 expense. Around a fifth of all respondents reported they would be unable to pay it, and 40% would have to take on debt. While 92% of non-cost-burdened renters said they would be able to pay such an expense, just 77% of cost-burdened renters would be able to pay it.

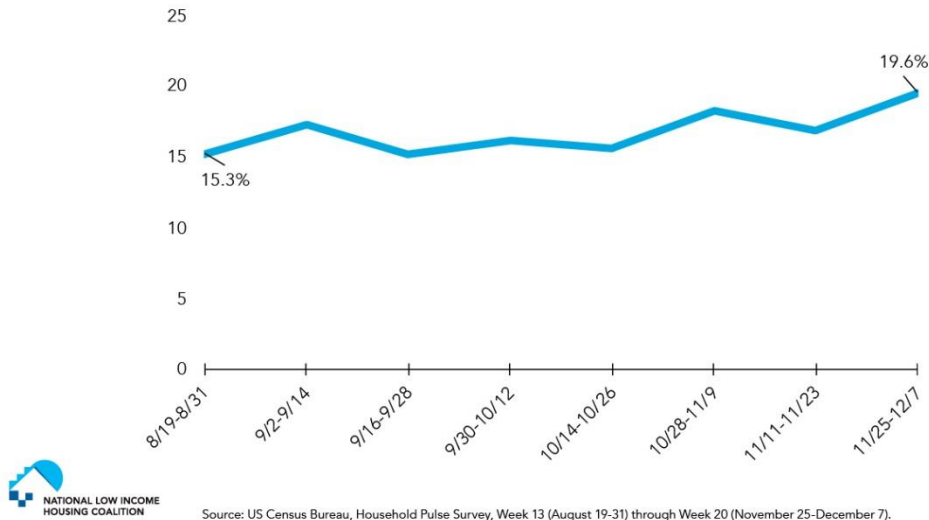
The report provides further support to the idea that cost-burdened households must make significant sacrifices to pay the rent—whether that be through cutting back on food, clothing, medical care, education, transportation, or forgoing other debt payments. The survey questions on the length of such cutbacks shows that for many households, this deprivation is not a temporary hardship but rather something that many households endure for years.

The report can be found here: <https://bit.ly/3agdLX0>

Fact of the Week

Share of Renters Reporting Rent Arrears Up Significantly since Summer

Percentage of All Renters Not Caught Up on Rent Payments



Source: US Census Bureau, Household Pulse Survey, Week 13 (August 19-31) through Week 20 (November 25-December 7).

NLIHC Housing Policy Forum 2021

Save the Date: NLIHC Virtual Housing Policy Forum 2021, March 30-31!

Save the dates of March 30-31 for NLIHC's **Virtual Housing Policy Forum 2021: A New Day!** The forum will feature keynote speakers and panels on Racial Equity and Housing Justice, Coronavirus and Current State of Play, State and Local Emergency Rental Assistance Programs, Achieving a Housing Entitlement, What the Election Means for Affordable Housing/Capitol Hill Insiders Panel, Best Practices in Organizing, and more. Register to attend at: <http://bit.ly/NLIHCForum21>



Register for the Forum at: <http://bit.ly/NLIHCForum21>

NLIHC's 2021 Organizing Award

Nominate an Organization or Campaign for NLIHC's 2021 Organizing Awards Today!

NLIHC encourages affordable housing advocates to submit applications or nominations for the 2021 Annual Organizing Awards today! Two awards will be granted for achievements in expanding housing funding, renters' rights, combatting homelessness, and organizing low-income people. Application/nominations can be made [here](#).

The NLIHC Organizing Awards recognize outstanding achievement during 2020 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 and leadership. The awards will be featured at the NLIHC 2021 Virtual Housing Policy Forum being held in the spring of 2021.

Nominations for the awards are due by 5 pm ET on Friday, January 15, 2021.

An Organizing Awards Committee composed of NLIHC board members and previous award winners will determine this year's honorees. NLIHC will provide two representatives of each honored organization complimentary Forum registrations and one hotel room for the next in-person convening.

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

Questions? Please reach out to Olivia Arena at: oarena@nlihc.org

From the Field

Nashville City Council Passes Tenant Protections Legislation

The Nashville City Council late Tuesday passed an ordinance protecting tenants whose properties are changing hands or whose leases will not be renewed. Councilmember Burkley Allen sponsored the bill and believes the legislation will help keep renters housed during a time of economic uncertainty.

“The goal is to give tenants reasonable time to find new accommodations if a landlord does not want to renew a lease,” said Allen. “This is a companion to an earlier bill that requires 60 days’ notice before a rent increase. As Nashville sees many renters struggle to stay housed, the Council is working to ensure that there is time for tenants and non-profit agencies assisting them to find viable solutions.”

The bill has two parts. First, it requires new property owners to let tenants know the property has changed hands and to update the owner contact information within 14 days of the change. Next, for year-long leases, the bill requires 60-day notice if the landlord intends to not renew the lease. The mayor is expected to sign the bill into law soon.

Nashville’s approach may serve as a model for other cities around the country as we continue to battle housing insecurity during a pandemic.

Read more about the legislation at: <https://bit.ly/38k3NRM>

Baltimore City Council Passes Right to Counsel Legislation Providing Protection for Tenants during COVID-19 Pandemic

Baltimore Renters United (BRU), a coalition of community advocates, campaigned successfully for the passage of Council Bill 20-065, “Right to Counsel in Eviction Cases.” The legislation gives tenants in Baltimore City the legal right to a lawyer in cases that may result in an eviction. Baltimore is now the seventh jurisdiction in the country to enact this progressive tool to prevent homelessness and high rates of disruptive displacement, particularly among Black and Brown communities.

In Baltimore, 140,000 eviction cases are filed each year, and nearly 70,000 evictions are executed. Landlords and the Court evicted more than 537 families from August to November 2020 during the COVID-19 pandemic. In these cases, only 1% of tenants had a lawyer, compared to 96% of landlords. A 2016 survey reported that 80% of tenants had a legal defense to the eviction complaint, but only 8% were afforded the chance to assert those defenses.

The eviction crisis in Baltimore, as in many jurisdictions, is closely tied to race and gender inequities. Black households are evicted at a 13% higher rate than white households within the same economic status. Black women are evicted at a rate 296% higher than white males.

In New York City, which has right to counsel, 84% of represented tenants remain in their homes. According to a [Stout report](#), an annual investment of \$5.7 million for right to counsel in Baltimore will result in 92% of tenants avoiding disruptive displacement. The City and State will also save an estimated \$35.6 million on homeless shelters, hospital care, transportation, and foster care. “Right to counsel is a proven method of dramatically decreasing the disruptive displacement on families and it is a cost-effective investment towards the overall health of municipalities, especially in the aftermath of this pandemic,” says Charisse Lue, attorney with the Public Justice Center.

BRU, a coalition of housing advocates, organizers, and community organizations, pushed for Baltimore’s right to counsel legislation as a key component of its “Human Right to Housing” campaign. The coalition was formed in 2017 around an effort to require rental inspections in one- and two-bedroom apartments, as many landlords in Baltimore had failed to maintain their rental properties in habitable condition and the City had failed to hold landlords accountable. After the rental license legislation passed in 2018, BRU forged ahead with the right to counsel campaign as a tool to combat Baltimore’s high rate of evictions, disproportionately impacting female head of households and Black households.

The coalition worked with city council members to move Council Bill 20-065 forward. Former Council President (now Baltimore Mayor) Brandon Scott was the bill’s sponsor. BRU garnered press attention for the eviction crisis, collected stories from tenants that had been evicted, and shared reports on the benefits of right to counsel laws. The strategies deployed throughout the campaign proved successful, with city council’s unanimous passage of the bill in November and former Mayor Young’s signing the bill into law in December 2020.

The Baltimore Right to Counsel law requires that the Department of Housing and Community Development (DHCD) contract with nonprofit legal services to provide tenants access to an attorney with cases that may result in eviction. To ensure tenants know their rights, the legislation includes funding for community-based organizations to conduct outreach and education. The legislation also has an evaluation mechanism and requires an annual report detailing the number of individuals served, the extent of legal representation performed, engagement and education of tenants, and other outcomes. Finally, the legislation requires additional low-income tenant representation on the city’s Affordable Housing Trust Fund Commission.

Right to counsel is a monumental step in recognizing that housing is a human right, not a commodity. “It is time Baltimore recognizes that housing is a human right and that individuals, families, and this City thrive when there is safe, affordable and stable housing for its residents,” says Tisha Guthrie, a member of the Affordable Housing Trust Fund Commission.

To learn Baltimore’s right to counsel law, contact Charisse Lue, attorney at the Public Justice Center, at: luec@publicjustice.org

NLIHC NEWS

Last Call: Nominate a NLIHC Board Member by December 31!

December 31 is the deadline for NLIHC members and partners to submit nominations (or self-nominate!) to fill upcoming vacancies on the NLIHC board of directors. Nominees for board membership must be current dues-paying NLIHC members or be employed by a current dues-paying NLIHC member organization. Send a brief biographical description or resume and a statement of interest to NLIHC President and CEO Diane Yentel at dyentel@nlihc.org by year’s end.

NLIHC's board consists of six low-income persons (defined as individuals with incomes less than 50% of their 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 seeking nominations for one state partner and three at-large board members to assume their duties in March 2020.

At least 90% of NLIHC board members must be people with low incomes or individuals 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 of race, ethnicity, gender, and geography, including representation from both urban and rural communities.

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. Attendance at board meetings is required, with exceptions for illness or emergencies. Generally, new board members are elected by existing board members at the annual board meeting held in the spring. All board members serve on at least one standing committee of the board and all board members can be members of the NLIHC Policy Advisory Committee. Committees meet by conference call. All new board members attend an orientation soon after their election.

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 Virtual 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/national housing advocacy activities and accountability to a constituent base.

To make a nomination or self-nominate, send a statement of interest and bio or resume to Diane Yentel at dyentel@nlihc.org by December 31.

NLIHC in the News

NLIHC in the News for the Week of December 13

The following are some of the news stories that NLIHC contributed to during the week of December 13:

- "Use it or lose it: Tenant aid effort nears a federal cutoff," *New York Times*, December 15 at: <https://tinyurl.com/yaswtmn8>
- "The CDC banned evictions for those affected by COVID. Why are tenants being thrown out on the street?" *NBC News*, December 17 at: <https://tinyurl.com/ycm6ga8e>
- "The most lopsided economic event imaginable: Wave of evictions threatens Black, Latino tenants," *Politico*, December 15 at: <https://tinyurl.com/y7j9xnff>
- "America's Eviction Crisis is a Public Health Disaster Waiting to Happen," *Huffington Post*, December 12 at: <https://tinyurl.com/ybdltkj7>

[NLIHC Staff](#)

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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, Director, Media Relations and Communications, x239
Alayna Calabro, Policy Analyst–COVID-19 Response, x252
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