Memo To Members & Partners
A weekly newsletter from the National Low Income Housing Coalition

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Message from NLIHC President and CEO

Voters sent a Clear Message: Housing Affordability and Accountability Must Be Priorities

By Renee M. Willis, NLIHC President and CEO

Keywords: Our Homes, Our Votes, Midterm Elections

The 2026 midterms showed that affordability is a defining concern for voters, and elected officials must deliver meaningful solutions. Across the country, voters made clear that rising costs put enormous pressure on families and communities. An exit poll found that 56% of voters were personally worried about their own or a loved one's ability to afford housing. And an overwhelming 85% said they want elected officials to address homelessness by helping people find affordable housing, rather than criminalizing people who have nowhere to go.

These results reinforce what NLIHC and our members, partners, and advocates have long understood: housing is central to economic security, and addressing the affordable housing and homelessness crises must be a national priority. Voters are looking for solutions that make housing affordable for the lowest-income renters, protect tenants from displacement, and ensure that everyone has a safe, stable place to call home.

The election also creates important opportunities for federal housing policy. With new legislators joining the 120th Congress, we have an opportunity to work with congressional leaders to strengthen federal investments in affordable housing and homelessness programs, and push for stronger protections for renters. The fiscal year 2027 appropriations process will be an early test. Congress must provide higher funding levels for HUD and the programs that help low-income families afford rent, while establishing stronger protections against the Trump administration's strategy of funding freezes, delays, and harmful program changes that contradict the will of Congress.

The election results also underscore that affordability and accountability go hand in hand. An extraordinary 90% of voters identified government corruption as an important factor in their vote. Congress must use its oversight and appropriations authority to ensure that federal housing resources reach the communities and families they are intended to serve. Preventing political

interference and arbitrary executive actions is essential to protecting these investments and restoring public confidence in government.

At NLIHC, we will continue working alongside our members, state and Tribal partners, and resident leaders to translate this mandate into meaningful policy change. Through NLIHC's *Our Homes, Our Votes* nonpartisan campaign, we will also continue building the civic engagement and political power of low-income renters. The message from voters is unmistakable: housing affordability matters, homelessness requires housing solutions, and government must be accountable. The next Congress must turn those priorities into action.

Budget and Appropriations

Join November 18 Day of Action to Protect Homelessness Funding in the Next Continuing Resolution

By Kim Johnson, NLIHC Senior Director of Policy

Keywords: Budget and Appropriations, THUD, HUD, FY27

The National Alliance to End Homelessness (Alliance) is hosting a November 18 Day of Action calling on Congress to include language in the next continuing resolution (CR) that would protect funding for the Continuum of Care (CoC) program by requiring HUD to non-competitively renew all CoC projects expiring in fiscal year (FY) 2026 for 12 months. Learn more and take action with the Alliance's Keep People Home Activation Toolkit.

HUD's CoC program, the backbone of the nation's homelessness response system, provides funding to thousands of communities around the country for services like permanent supportive housing. The Trump administration has proposed drastic changes to the program that would disrupt communities' homelessness response efforts and put an estimated 97,000 people who had previously experienced homelessness at risk of losing their housing.

The Next CR Must Protect Families & Funding

Members of Congress have until December 11, when the current CR funding federal programs and services expires, to reach an agreement on another CR and avoid a government shutdown. Senate Appropriations Chair Susan Collins (R-ME) released seven of the committee's 12 outstanding FY27 spending bills last week, including the U.S. Department of Agriculture (USDA) spending bill funding rural housing and development programs. The Housing Assistance Council has an analysis of the Senate and House FY27 spending bills for USDA housing programs. Chair Collins did not release the text of the Senate's FY27 Transportation, Housing and Urban Development (THUD) spending bill funding HUD programs.

With time limited, an ongoing stalemate over spending negotiations, and a new congressional session around the corner, it is unlikely that there will be an agreement on a final FY27 spending bill for HUD programs before the end of the current CR. Between now and December 11 will be a crucial time to push for Congress to include policies in the next CR that will protect families and individuals who rely on federal funding for a safe stable home.

Take Action!

Use the resources below to take action on NLIHC's priorities for the next CR:

- **Protect the housing stability of people who previously experienced homelessness**: NLIHC and the Alliance are calling on Congress to include language in the next CR requiring HUD to non-competitively renew all expiring CoC projects for 12 months. View the Alliance's Activation Toolkit, Keep People Home, to learn more and find out how you can join the November 18 Day of Action.
- **Block implementation of HUD's devastating Mixed Status rule**: HUD has finalized its new "Mixed-Status" rule, scheduled to take effect mid-December. The new rule would force mixed-status immigrant families receiving HUD assistance or living in HUD-assisted housing to choose between breaking up so some can stay housed or leaving their homes together and face eviction and homelessness. HUD also wants to impose burdensome new documentation and verification requirements on Public Housing Agencies (PHAs), property owners, and all households, not just mixed-status families, receiving assistance through covered HUD programs. Learn more about the rule and take action.
- **Block implementation of the Office of Management and Budget's (OMB's) harmful proposed rule politicizing federal grants**: Call or email your members of Congress and urge them to block OMB's proposed rule. Learn more about key changes in the proposal and its impact on housing programs.
- **Provide long-term recovery funding for communities impacted by disasters.** Organizations can join the Disaster Housing Recovery Coalition's (DHRC's) letter to congressional appropriators calling for the CR to include a disaster supplemental that would provide much-needed long-term recovery assistance to communities impacted by disasters in 2025 and 2026, and forward-looking funding for post-disaster recovery needs in 2027.

Email or call your federal elected officials to urge them to protect and expand investments in affordable housing, homelessness, and community development resources!

It is likely the next CR will extend funding for federal programs into early 2027, giving the new Congress the opportunity to enact FY27 spending bills and advocates additional time to push elected officials for the highest possible funding and needed guardrails for HUD's vital affordable housing, homelessness, and community development programs.

- *Use NLIHC's Take Action page to look up your member offices or call/send an email directly*, and urge them to provide increased investments in affordable housing, homelessness, and community development programs in HUD's final fiscal year (FY) 2027 spending bill, including NLIHC's priorities:

    - Provide at least $45.6 billion for TBRA programs, which would be enough to renew all current TBRA contracts.
    - Invest at least $5.1 billion in HUD's Homeless Assistance Grants (HAG) program.
    - Fully fund the Public Housing Operating Fund at the full, formula-determined need, plus $598 million to address the cumulative shortfall in Public Housing operations reported in FY25, and provide increased funding for the Public Housing Capital Fund to begin addressing the capital needs backlog in Public Housing.
    - Invest in accessible, affordable homes for older adults and people with disabilities by fully renewing all existing PBRA contracts and Project Rental Assistance Contracts (PRACs) and expanding funding for the Section 202 Housing for the Elderly and Section 811 Housing for Persons with Disabilities programs.
    - Provide at least $15 million for HUD's Eviction Protection Grant Program (EPGP), which gives communities grants to establish right to counsel and other programs that help people avoid eviction and remain housed.
    - At least maintain $1.1 billion for the Indian Housing Block Grant (IHBG) program and increase funding for the IHBG-Competitive program to $150 million, targeted to Tribal communities with the most urgent housing needs.
    - Language blocking implementation of other harmful proposed changes by HUD, including the Equal Access rule, "Mixed-Status" rule, and disparate impact rule.

- *Organizations can also join CHCDF's fiscal year (FY) 2027 sign-on letter* calling for increased investments in HUD's and USDA's affordable housing, homelessness, and community development programs.

HUD

HUD Final Mixed Status Rule Threatens Housing Assistance, Imposes Burdens on Tenants and Housing Providers; Take Action! Tell Congress to Stop the Rule from Taking Effect

By Lucas Eisenberg, NLIHC Policy Intern and Renee Williams, NLIHC Senior Advisor for Public Policy

Keywords: mixed-status, tenants, housing providers, RIA

On November 12, HUD published a final rule prohibiting households with mixed immigration statuses from applying to and participating in certain HUD programs, including public housing, project-based Section 8, and Housing Choice Vouchers, among others. The mixed status rule

puts thousands of low-income families in the position of choosing between their housing or family separation (see *Memo*, 2/23). Additionally, the rule requires immigration verification for all living in HUD-assisted housing, including U.S. citizens, adding cost and administrative burdens on low-income households and housing providers alike.

In reaction to the final rule's publication, NLIHC President and CEO Renee M. Willis issued a statement reiterating NLIHC opposition to the rule, noting that this "rule change could undermine housing stability for far too many of our neighbors." She added, "We will continue to work with our partners to oppose the 'mixed-status' rule and any efforts to reduce immigrant families' access to decent, safe, and affordable housing."

One difference between the proposed and final rules is that, under the final rule, housing providers can grant up to a 60-day extension for a household member to produce evidence of U.S. citizenship or eligible immigration status. The proposed rule provided for a 30-day extension.

The rule is not in effect until **December 14, 2026**. Until that time, the current HUD regulations regarding mixed-status families remain in effect.

Nearly 80,000 people will be at risk of losing their HUD assistance because of the prohibition on mixed status families, including almost 37,000 children. The overwhelming majority – 95 percent – of these children are U.S. citizens.

Yet, the impact of the mixed status rule will ripple beyond these immigrant households and impact every U.S. citizen and eligible noncitizen participating in HUD programs covered by the final rule. HUD's own Regulatory Impact Analysis (RIA) states the immediate impact of the rule would be a "reduction in the number of households and eligible persons assisted."

According to HUD's own analysis, to serve the same number of families as HUD does currently, the agency would need an additional $300 million in funding. Public Housing Agencies (PHAs) may be forced to cover the shortfall caused by the final rule by delaying the issuance or reducing the number of Housing Choice Vouchers or even keeping units vacant. Furthermore, all HUD-assisted residents will need to verify U.S. citizenship or immigration status, and in some cases, provide documentation that may not be readily accessible or may be cost prohibitive to obtain (e.g., birth certificates or passports).

NLIHC previously submitted comments (see *Memo*, 4/27) opposing the proposed mixed status rule earlier this year. In addition, NLIHC joined a Protecting Immigrant Families letter with nearly 400 organizations nationwide opposing HUD's proposed changes.

Take Action: Tell your members of Congress to keep families whole and housed!

Advocates can take action today by urging their members of Congress to **include language in the next continuing resolution (CR) preventing HUD from implementing or enforcing the Mixed Status rule for the duration of the CR:**

- Use this take action link to contact your members of Congress today!
- Check out the *Keep Families Together* website for more resources and information on how you can keep immigrant families whole and housed.

Read the final rule.

Read NLIHC's RIA factsheet.

Visit the *Keep Families Together* website.

Contact your member of Congress!

Updated Resource on HUD's Proposed Rule on Work Requirements and Time Limits

By Alayna Calabro, NLIHC Senior Policy Analyst

Keywords: work requirements, time limits, housing assistance, HUD

On March 2, HUD proposed allowing public housing agencies (PHAs) and HUD-assisted owners to impose work requirements and time limits on assisted families. A Center on Budget and Policy Priorities (CBPP) analysis found that the Trump administration's proposed rule would put as many as 3.7 million people, more than half of them children, at risk of losing their rental assistance to rigid time limits or stringent work requirements.

NLIHC, the National Housing Law Project (NHLP), and the Center for Law and Social Policy (CLASP) synthesized CBPP data and NLIHC data to create fact sheets for each state, the District of Columbia, and Puerto Rico. The organizations recently updated the fact sheets to reflect updated data. These fact sheets are posted online as a single, searchable PDF.

NLIHC strongly opposes the proposed rule. On May 1, NLIHC submitted an organizational comment letter urging HUD to withdraw the proposed rule. Additionally, NLIHC submitted a separate sign-on letter opposing HUD's proposal, with over 50 organizations joining the comment (*Memo*, 5/11).

Access the updated fact sheets.

Learn more about the harms of time limits and work requirements.

Federal Register

DOJ Publishes Memo About English as the Official Language for Federal Agency Business; Comments Due January 11

By Renee Williams, NLIHC Senior Advisor for Public Policy

Keywords: DOJ, HUD, language access, limited English proficiency, disaster, emergency preparedness

On November 12, the U.S. Department of Justice (DOJ) Office of Legal Policy published a guidance memo in the *Federal Register* that directs federal agencies to conduct their own activities in English, unless non-English language assistance is legally required or necessary to fulfill an agency's mission.

The memo's approach constitutes a departure from prior federal efforts to implement Executive Order 13166, which required agencies to develop plans to provide meaningful language access for persons with limited English proficiency. Executive Order 13166, in effect since 2000, was revoked by the second Trump administration via Executive Order 14224.

Notably, Executive Order 14224 does not require agencies to stop the provision of non-English language assistance. Furthermore, as noted above, the memo acknowledges that there are circumstances where language assistance is legally required or necessary for an agency's mission. A footnote affirms that this memo does not supersede any agency's legal obligations. Additionally, the memo focuses on federal agency operations. It *does not* focus on activities by recipients of federal financial assistance (e.g., federal funding grantees) subject to Title VI of the "Civil Rights Act of 1964."

DOJ is accepting public comments on the memo through January 11, 2027. The notice accompanying the memo stated that DOJ would review comments to see if revisions to the memo were "necessary or desirable" but would not respond to comments submitted.

Summary of the Memo

Per the memo, agencies should solely communicate in English in instances such as official correspondence, regulations, public announcements, applications, forms, outreach materials, and websites, among other examples. The memo references HUD's removal of non-English languages from agency operations and encourages other agencies to follow.

The memo instructs agencies to: (1) promptly examine all agency language assistance programs; (2) determine if such assistance is either legally required or necessary to fulfill an agency's mission; (3) eliminate language assistance that is neither legally required nor necessary to fulfill an agency's mission. If language assistance is required or necessary under this analysis, the memo instructs agencies to provide such assistance only as much as is needed to comply with the law or to fulfill an agency's mission.

Language Assistance Required By Law

The memo acknowledges that there are certain instances where the law may require language assistance, such as the U.S. Constitution, federal statutes, court orders, regulations, and "international obligations having the force of law."

Language Assistance Necessary For Agency Mission

The memo also acknowledges that there are certain instances where the language assistance may be necessary for an agency to carry out its mission, such as activities related to national security, immigration enforcement, disaster response and emergency preparedness, public safety and emergency communications, and court proceedings, among others.

Providing Language Assistance

When language assistance is provided, the memo instructs agencies to select "the least burdensome and most cost-effective method available." The memo encourages agencies to explore machine translation.

While not discussed in the memo, generally speaking, machine translation as a resource for language assistance is nuanced and should be approached with caution.

For background regarding language access in HUD programs, please refer to the *2026 Advocates' Guide*.

Housing Instability and Homelessness

Homelessness in the United States Has Decreased for the Second Year in a Row

By Alayna Calabro, NLIHC Senior Policy Analyst

Keywords: unsheltered, homelessness, sheltered, CoC, Annual Homeless Assessment Report, AHAR, Point-In-Time, PIT, National Alliance to End Homelessness

The National Alliance to End Homelessness (the Alliance) announced on November 6 that homelessness has declined in the United States for the second year in a row. Between 2025 and 2026, overall homelessness decreased by an estimated 6.7%, marking the largest single-year national decrease since 2007. The results demonstrate that housing-focused solutions work to end homelessness when appropriately funded.

About the PIT Count Analysis

The results are from an independent analysis of Point-in-Time (PIT) count data commissioned by the Alliance and conducted by Jared Schachner, Ph.D., Research Assistant Professor at the USC Price School of Public Policy, affiliated with its Homelessness Policy Research Institute and Lusk Center for Real Estate.

A PIT count is a local census of sheltered and unsheltered people experiencing homelessness on a single night in January. The PIT count is required by HUD and organized by Continuums of Care (CoCs), the regional or local planning bodies that coordinate housing and services for

people experiencing homelessness. HUD then compiles the results into its Annual Homeless Assessment Report (AHAR).

HUD's official 2026 AHAR Part 1 report has not been released. The Alliance requested an analysis to generate a preliminary national estimate while the official report is pending. Prior to the Alliance publishing its analysis, HUD became aware of the Alliance's intent to publish its report and hastily issued a press release announcing a reduction in homelessness. However, HUD did not post a report or release data on any subpopulations. HUD's press release repeats talking points the Trump administration continues to use in support of its policy agenda, yet these false narratives about homelessness are contradicted by the results of the last two PIT counts.

The Results

Based on data from CoC-reported 2026 PIT counts, representing approximately two-thirds of the country's CoCs, the analysis estimates that on a single night in 2026, 693,000 people experienced homelessness in the United States. This is a decrease of approximately 49,000 people nationwide from the previous year. The analysis finds an estimated 7.6% decrease in sheltered homelessness, a nearly 5% drop in unsheltered homelessness, and a 7.8% decrease in veteran homelessness. Veteran homelessness has declined by 60% since 2010, demonstrating the success of quickly connecting people to permanent housing and then helping them access the supportive services they want and need.

Rates of chronic homelessness have remained relatively flat, with an estimated 1% increase between 2025 and 2026. According to the Alliance, this increase highlights the shortage of resources tailored to this population—people who experience homelessness for the longest periods and who have the greatest needs—and demonstrates the urgent need for investments in permanent supportive housing. The Trump administration, however, has repeatedly attempted to defund permanent supportive housing. Despite these efforts, changes have not gone into effect and have no bearing on this year's decline in homelessness.

The results from the past two PIT counts demonstrate how homeless services systems and providers are successfully using their limited resources to end homelessness. Yet future declines in homelessness are not assured given that the Trump administration continues attempting to upend the homeless response system by gutting investments in permanent housing and shifting funding toward temporary interventions. Policymakers must provide the federal, state, and local resources needed to continue the downward trend in homelessness.

Read the analysis.

Read the Alliance's press release.

Fair Housing

National Fair Housing Alliance Releases 2026 Fair Housing Trends Report

By Kayla Blackwell, NLIHC Senior Housing Policy Analyst and Lucas Eisenberg, NLIHC Policy Intern

Keywords: National Fair Housing Alliance, fair housing, report, trends, Department of Justice, HUD, AI

The National Fair Housing Alliance (NFHA) released its annual Fair Housing Trends Report for 2026 on October 28. Every year, NFHA gathers data across housing-related federal agencies and fair housing organizations (FHOs) and reviews the state of fair housing across the United States. This year, HUD, the Department of Justice (DOJ), and local Fair Housing Assistance Program agencies (FHAPs) did not release complaint data for 2025, marking the first time in roughly 30 years federal agencies refused to share this data. The report provides a narrative for the state of fair housing, from statistics surrounding fair housing complaints and litigation in 2025 to new developments in the field, and policy recommendations to strengthen fair housing enforcement.

Missing data from HUD, DOJ, and the FHAP agencies hindered the report's ability to capture a full picture of fair housing complaints. This year's report relies solely on data from community-based nonprofit FHOs and publicly available data from DOJ's public-facing Housing and Civil Enforcement websites, including 31 cases filed by DOJ in fiscal year (FY) 2025, down from 44 cases the year before.

Housing Discrimination Data

Though data was limited, private, nonprofit FHOs and the DOJ logged 20,805 complaints in total, a drop from the 24,001 complaints reported in 2024—roughly a 13% decrease. Cuts to federal funding resulted in significant disruptions to these organizations' operations. 62 of 82 FHOs reported financial challenges, with four relaying that these challenges resulted in their doors closing for a portion of the year. NFHA states that the disruptions in funding are forcing FHOs to make choices on which cases to log and process. Along with HUD and FHAPs shielding data, these factors explain the drop in complaints from 2024 to 2025. The fall in complaints does not imply decreased acts of discrimination, but rather a decreased capacity to address these cases. DOJ data aligns with this decreasing trend, as the DOJ's reported cases totaled 31 this year—a decrease of 13 from the previous year.

Disability related complaints remained the largest share of fair housing related complaints, making up 11,453 complaints or about 55% of all complaints—an increase from 51% in 2024. The remaining cases were complaints surrounding race (11%), sex (6%), familial status (5%), and national origin (3%). Seventeen percent of cases were not complaints based on a federally protected class but were based on protected groups under state or local law—most prominently source of income. Cases surrounding discrimination against immigration status also rose throughout the year. The rental market continued to be the most common type for fair housing complaints (compared to real estate transactions or homeowners' insurance transactions, for example), with 18,734 (90%) of housing discrimination complaints occurring within rental housing. The second most common type of complaint was harassment, which includes coercion, intimidation, threats, or interference in the provision of housing or in the housing setting.

Geographically, complaints were most likely to originate from HUD Region 9 (TX, AZ, HI, and NV) and Region 5 (MN, WI, MI, IL, IN, and OH).

Relevant Litigation

NFHA's report summarized relevant fair housing litigation from 2025, highlighting cases filed against the federal government. Once such case, *Massachusetts Fair Housing Center v. United States Department of Housing and Urban Development* challenged HUD's Fair Housing Initiatives Program (FHIP) 2025 Notice of Funding Opportunity that excluded most private fair housing organizations in direct contradiction with the law.

In *National Fair Housing Alliance v. Consumer Financial Protection Bureau* (CFPB), plaintiffs challenged a final CFPB rule issued amending Regulation B, which implements the "Equal Credit Opportunity Act" (ECOA), and eliminating disparate impact claims under ECOA.

Beyond the federal government, prominent cases in area of disability and racial discrimination yielded remedies of $600,000 in an Arizona retaliation case, $2.25 million in damages and 2,800 new units of accessible housing in Chicago, $722,000 in for affected borrowers in discriminatory mortgage schemes, and $2.25 million against a landlord subjecting tenants to harassment in Virginia. NFHA gave attention to discrimination based on income, reporting that in 2025, multiple cases occurred where the state won remedy for tenants after landlords turned them away for participating in the Housing Choice Voucher program.

AI in Fair Housing

NFHA's report summarizes the use of artificial intelligence (AI) throughout federal agencies, noting that, throughout 2025, HUD and other federal agencies continued to implement AI without much oversight or regulation into their operations. Federal policy toward AI is defined within "America's AI Action Plan," announced by the White House, which gives a maturity assessment for agencies based on their implementation of AI. HUD evaluated itself "foundational" on four main competency areas: AI infrastructure, data collection, workforce readiness, and resource tracking and planning. HUD evaluated research and development, along with governance and risk assessment, as "developing."

Policy Recommendations

NFHA covered policy recommendations for four main areas: strengthening fair housing enforcement, implementing the "21st Century ROAD to Housing Act," building on ROAD with further policies, and addressing AI. NLIHC will continue to work with NFHA to strengthen fair housing enforcement and ensure fair housing and civil rights are sufficiently addressed in implementation of new housing legislation.

Read NFHA's 2026 Fair Housing Trends Report.

Opportunity Starts at Home

Register for December 4 OSAH Webinar with Legal Action Center on Aligning Narratives and Advocacy Across Recovery, Mental Health, and Housing Systems

By Julie Walker, NLIHC Project Manager, *Opportunity Starts at Home*

Keywords: multi-sector, recovery, mental health, Legal Action Center, National Homelessness Law Center, National Health Care for the Homeless Council, Virginia Harm Reduction Coalition

On December 4, the *Opportunity Starts at Home* (OSAH) Campaign will host a webinar, "Recovery, Mental Health, and Housing Part 2 – Aligning Narratives and Advocacy Across Systems," in partnership with OSAH Roundtable Member Legal Action Center. The webinar, held from 2:00 pm to 3:00 pm ET, will examine existing misconceptions about housing, recovery, mental health, and the services available in communities. This discussion will highlight the critical need for a narrative shift that recognizes stable, affordable housing as essential to recovery and overall well-being for individuals with substance use disorders and/or mental health conditions. Addressing the affordable housing crisis requires collaboration across sectors, and integrated health and housing systems are especially critical to addressing homelessness. Experts from the National Homelessness Law Center, National Health Care for the Homeless Council, and the Virginia Harm Reduction Coalition will discuss effective messaging and advocacy strategies to advance support for stronger coordination across housing, healthcare, and homelessness response systems, as well as examples of successful defensive partnerships with multi-sector partners.

Speakers include:

- Julie Walker, *Opportunity Starts at Home* project manager, National Low Income Housing Coalition
- Victoria Palacio Carr, deputy director of state strategy, Legal Action Center
- Laura Brennan, senior policy manager, National Health Care for the Homeless Council
- Jesse Rabinowitz, campaign and communications director, National Homelessness Law Center
- Ariel Johnson, West Piedmont program director, Virginia Harm Reduction Coalition

This webinar builds on the July 14 webinar, "Recovery, Mental Health, and Housing," which outlined the connection between access to affordable housing and recovery for individuals with substance use disorders and/or mental health conditions. Experts from the National Alliance on Mental Illness, the Corporation for Supportive Housing, National Homelessness Law Center, and the Virginia Harm Reduction coalition discussed the current landscape around housing access for people in recovery from a mental health condition or substance use disorder and shared strategies for advocating for supportive housing models.

Watch the July 14 webinar recording.

Register for the webinar.

Learn more about the connections between Recovery, Mental Health, and Housing.

Research

Rental Assistance Demonstration Program Could Create Displaceability

By Elizabeth Workman, NLIHC Research Intern

Keywords: RAD, displacement, displaceability

An article published in *Housing Studies*, "Displaceability under the Rental Assistance Demonstration (RAD): Theory, Evidence, and Future Directions," examines whether, despite its statutory anti-displacement protections, the RAD program could still generate displaceability. "Displaceability" refers to vulnerability to displacement even when residents have the legal right to stay. The author points to three ways RAD might do so: discontinuation of flat-rent options, neighborhood change because of reinvestment, and discretionary enforcement of resident protections by non-public partners.

This study emphasizes that RAD protections successfully prevent direct large-scale displacement. Since 2011, RAD has allowed public housing authorities to convert public housing from its traditional federal funding system to long-term, project-based Section 8 rental assistance contracts. These contracts provide a more stable and politically sustainable source of subsidy, which owners can leverage to raise debt and equity for renovation and preservation. To prevent displacement, RAD requires that conversion cannot be used as the basis of eviction and that, after renovations, incumbent tenants cannot be treated as "new admissions." This study concludes that RAD's right-to-remain is effective in preventing large-scale displacement, as the 2019 HUD evaluation revealed that 92% of surveyed residents returned to the same property after RAD conversion.

While tenant protections within the RAD program appear to mitigate displacement during and immediately after the conversion process, this study focuses on the displaceability RAD creates. HUD's 2019 evaluation also revealed that after RAD conversion, about half of the residents surveyed reported an increase in rent, with 36% reporting an increase in utilities as well. When properties are converted through RAD, residents who had previously chosen flat rent, a fixed amount that does not rise with income, are forced to pay income-based rent instead. Households typically chose flat rent because it was lower than 30% of their income, so switching to income-based rent can mean a sizable increase, which may strain households with little financial cushion. Additionally, management of RAD properties typically shifts to a non-public institution whose central priority is often rent collection. Non-public RAD partners face pressure to meet financing requirements and maintain a steady revenue stream and are therefore less likely to tolerate tenants struggling to pay rent. Furthermore, the shift in property management through RAD

conversion is often multi-layered and technically dense, leading to residents not understanding their right-to-remain. Residents sometimes view the Choice Mobility voucher element of RAD as a push to leave, when it is intended as only a mechanism to allow residents to choose to move to better neighborhoods if they want to.

In addition to displaceability created within RAD properties themselves, the author also argues that RAD conversion may foster displaceability through neighborhood change. RAD conversion signals reinvestment opportunities in neighborhoods that increase the cost of living for residents. This reinvestment eventually attracts wealthier residents, driving up overall costs for original tenants. The author points out that in one New York City study, 2/3 of block groups with public housing were surrounded by block groups with average incomes above the city median, making neighborhoods with public housing readily accessible to higher-income movers. Also, such neighborhood growth can erase the cultural community to which many residents are strongly attached. Loss of community, by forces beyond the tenant's control, can contribute to the feeling of being pushed to leave after RAD conversion.

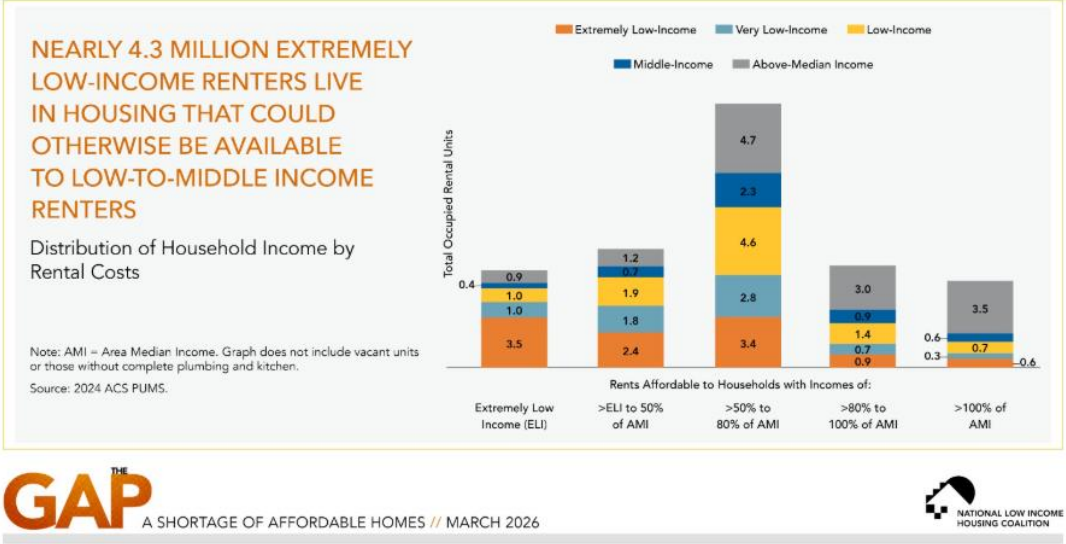
Overall, the author finds no evidence that the RAD program facilitates large-scale displacement, but that it contains several factors that may foster displaceability. The author does not believe that displaceability warrants a discontinuation of RAD and instead suggests policy changes to limit tenants' vulnerability to displacement. Such protections include requiring plain-language notices of management changes caused by RAD conversion, more support for residents who are temporarily relocated during construction, and assessment of broader neighborhood effects of reinvestment. The author cautions against accepting displaceability as a trade-off to slow neighborhood decline. Finally, the author suggests that further research is needed, particularly on how displaceability varies by different RAD organizational arrangements (such as national or local developers, nonprofit contribution, or other arrangements).

Read the full report.

Fact of the Week

Nearly 4.3 Million Extremely Low-Income Renters Live in Housing That Could Otherwise Be Available to Low- to Middle-Income Renters

Keywords: rental homes, incomes, extremely low income



Data source: 2024 ACS PUMS.

Event

Join Webinar Tomorrow (November 17) to Learn About New National Standards for Shelter and Interim Housing Programs

By NLIHC Policy Team

Keywords: homelessness, Framework for an Equitable Homelessness Response, shelter, interim housing, resources, webinar, Reimagining Interim Housing, National Standards for Shelter and Interim Housing Programs

Shelter and interim housing programs must be safe, humane, well-managed, and effective in helping people connect to permanent housing. The new National Standards for Shelter and Interim Housing Programs, developed by the Reimagining Interim Housing project, were deeply informed by people with lived expertise, program staff, system leaders, and others. These Standards provide a shared vision and identify detailed policies and practices that can be adapted and applied based on local circumstances to help strengthen the quality, safety, and effectiveness of programs and improve people's experiences and outcomes.

Register here for a webinar tomorrow, Tuesday, November 17, from 3:00 pm to 4:30 pm ET to learn more about the new National Standards.

The Reimagining Interim Housing project has also released updated publications to help communities and organizations reimagine approaches to sheltering people experiencing

homelessness while also strengthening existing programs. Access the Reimagining Interim Housing Project's new and updated resources.

NLIHC News

NLIHC in the News for the Week of November 9

The following are some of the news stories to which NLIHC contributed during the week of November 9:

- "HUD eliminating prorated housing assistance for mixed-status immigrant households," *Scotsman Guide*, November 11, at: https://tr.ee/bjjeDy
- "New Trump Rule Threatens Immigrant Families with Separation or Homelessness," *The Intercept*, on November 12, at: https://tr.ee/ufyPFn
- "HUD Throws New Immigrant Housing Aid Enforcement Back to Locals," *Bloomberg Government*, November 13, at: https://tr.ee/NErIIX

Where to Find Us – November 16

- Connecticut Affordable Housing Conference – virtual, November 17 (Nada Hussein)
- Dallas Housing Coalition Annual Housing Summit – Dallas, TX, November 20 (Sarah Abdelhadi)
- Housing Alliance of Pennsylvania's Homes Within Reach Conference – Hershey, PA, December 14-16 (Kim Johnson)

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