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# **Budget and Appropriations**

### Government Shutdown Extends to Second Week After Failed CR Votes in Senate

By Kim Johnson, NLIHC Senior Director of Policy

Keywords: Office of Management and Budget (OMB), mass layoffs, government shutdown, FY26 spending bills, continuing resolution (CR), PPAs, RIF

A partial shutdown of the federal government is extending into its second week, after the Senate voted on and failed to pass two stopgap funding bills, known as continuing resolutions (CRs), on October 3. Shortly after the failed votes, House Speaker Mike Johnson (R-LA) announced House Republicans would not be returning to their offices on Capitol Hill until October 13, an effort to put pressure on Senate Democrats to vote in favor of the House-passed CR. Senators are expected to take up CR votes again today (October 6); the proposals are still expected to fail.

The House passed on September 19 a Republican-backed "clean" CR, but the proposal faces opposition from Senate Democrats, who are calling for any CR to include a permanent extension of enhanced Affordable Care Act (ACA) tax credits. These credits help people with low incomes better afford healthcare coverage but will expire at the end of the year without action from Congress, putting over four million people at risk of losing their health insurance (see *Memo*, 9/22). Senators Catherine Cortez Masto (D-NV), John Fetterman (D-PA), and Angus King (I-ME) broke with their Democratic caucus colleagues to vote in favor of the measure, while Senator Rand Paul (R-KY) was the only Senate Republican to vote against.

Senators also voted again on Senate Democrats' alternative proposal, which would extend federal funding through October 31 while also permanently extending the ACA credits; restoring

roughly \$1 trillion in Medicaid cuts enacted in July through H.R. 1, the One Big Beautiful Bill Act; restoring funding for public broadcasting stations; and barring the White House from enacting further rescissions of Congressionally-approved funding. The proposal also failed by a vote of 46-52.

Senate Democrats are calling on their Republican colleagues to come to the negotiating table over the CR and extension of ACA credits. "We cannot accept an empty promise, which is, 'Oh, we'll deal with this later,'" said Senate Appropriations Committee Ranking Member Patty Murray (D-WA). "The fact is that this crisis is in front of us now. Come to the table now, work with us for a concrete solution, and we can get moving again."

However, Senate Majority Leader John Thune (R-SD) noted that, while he hopes to have a conversation with Democrats, "that can't happen while the government is shutdown."

White House Seeks Additional Layoffs

Without a CR in place, President Donald Trump and Office of Management and Budget (OMB) Director Russ Vought are threatening to use the shutdown to cut additional staff for "Democrat Agencies." A memo released late last month from OMB instructed federal agencies to carry out mass layoffs, known as Reductions in Force (RIFs), in the event of a government shutdown (see *Memo*, 9/29). The memo is being challenged in court by unions representing government employees, who maintain laying off federal workers during a government shutdown is illegal and that the Trump administration is "[using] federal employees as pawns in Congressional deliberations."

Shutdown Risks for HUD-Assisted Households

Households who rely on HUD assistance should have had their October rent paid. However, the longer a shutdown continues, the greater the risk to assisted households, and the greater the disruption to essential federal services and programs. The National Housing Law Project (NHLP) published two updated shutdown resources, one for tenants outlining the legal rights of households receiving HUD assistance, and the other providing an overview of the impacts of a government shutdown for legal aid attorneys.

NLIHC will continue working with our partners to monitor the shutdown, its potential effects on HUD programs, and the people and communities they serve.

The Need for Additional Funding for Voucher Renewals in a Final FY26

The shutdown was triggered by the beginning of the new federal fiscal year (FY), which began on October 1. Once a CR is in place, members of Congress will still need to come together to reach a final agreement in FY26 spending bills, including the Transportation, Housing and Urban Development (THUD) spending bill that funds HUD's vital affordable housing, homelessness, and community development programs.

While both the <u>House</u> and <u>Senate</u> FY26 THUD <u>spending bills</u> reject the drastic spending cuts and programmatic overhauls proposed in President Trump's FY26 <u>budget request</u>, neither spending bill provides sufficient funding to ensure renewal of all existing Housing Choice

Vouchers (HCVs) or Emergency Housing Vouchers (<u>EHVs</u>). Without sufficient funding, vouchers will be lost through attrition – when a household no longer needs their voucher, the voucher cannot be reissued to a new family because it is no longer attached to funding. When renewal funding is insufficient enough – or when funding is cut – households that rely on a voucher to keep a roof over their heads actively lose their rental assistance, putting them at risk for housing instability, eviction, and in worst cases, homelessness.

At current funding levels, over 2.4 million households receive rental assistance, accounting for just one in four households who qualify. Under the House's FY26 spending bill, an estimated 181,900 fewer households would be served; in the Senate, 107,800 fewer households would receive rental assistance. The <u>loss of these vouchers</u> would disproportionately affect older adults, people with disabilities, and families with children.

#### Take Action

### Use NLIHC's toolkits and resources to take action on FY26 funding, including by:

- Using NLIHC's advocacy toolkit, "Opposing Cuts to Federal Investments in Affordable Housing," to call on Congress to protect and expand affordable housing and homelessness resources, including NLIHC's priorities:
  - o Full funding to renew all existing tenant-based voucher contracts, to ensure the people and families who rely on an <u>HCV</u> or <u>EHV</u> to keep a roof over their heads do not lose their assistance. Check out the "<u>EHV Funding Cliff Mobilization Toolkit"</u> for more information, including talking points and resources.
  - \$4.922 billion for HUD's Homeless Assistance Grants (HAG) program, and for HUD to stick to its <u>commitment to a two-year Notice of Funding Opportunity</u> (NOFO) for the Continuum of Care Program.
  - \$5.7 billion for public housing operations, and at least \$5 billion to address public housing capital needs.
  - \$15 million for the Eviction Protection Grant Program (EPGP), as provided in the Senate's spending bill.
  - At least \$1.3 billion for HUD's Indian Housing Block Grant (IHBG) program and \$150 million for IHBG-Competitive funds, targeted to Tribes with the greatest needs.

The toolkit includes talking points, advocacy materials, engagement ideas, and more resources for advocates to weigh-in with their members of Congress on the importance of these vital resources!

- Emailing or calling members' offices to tell them about the importance of affordable housing, homelessness, and community development resources to you, your family, your community, or your work. You can use <a href="NLIHC's Take Action page">NLIHC's Take Action page</a> to look up your member offices or call/send an email directly!
- Sharing stories of those directly impacted by homelessness and housing instability. Storytelling adds emotional weight to your message and can help lawmakers see how their policy decisions impact actual people. <u>Learn about how to tell compelling stories</u> with this resource.

National, state, local, Tribal, and territorial organizations can also join over 2,800 organizations on CHCDF's national letter calling on Congress to support the highest level of funding possible for affordable housing, homelessness, and community development resources in FY26.

Visit <u>NLIHC's Advocacy Hub</u> for more information and resources that can help you take action and help protect the affordable housing programs people rely on.

# **Fair Housing**

Senator Warren and Representative Waters Call for HUD Secretary Turner to Testify Before Congress on Whistleblower Allegations of HUD's Undercutting of the Fair Housing and Civil Rights Laws

By Kayla Blackwell, NLIHC Housing Policy Analyst and San Kwon, Policy Intern

Keywords: fair housing, Warren, Waters, Turner, testify, whistleblower

Senator Elizabeth Warren (D-MA), Ranking Member of the Senate Banking, Housing, and Urban Affairs Committee, and Representative Maxine Waters (D-CA), Ranking Member of the House Financial Services Committee, sent a <u>letter</u> to Representative French Hill (R-AR) and Senator Tim Scott (R-SC), Chairmen of their respective committees, to call upon HUD Secretary Scott Turner to testify before their committees in response to allegations HUD is failing to enforce fair housing laws. HUD whistleblowers alleged that HUD leadership is systematically undermining civil rights laws and fair housing protections at HUD's General Counsel Office of Fair Housing (OFH) and the Office of Fair Housing and Equal Opportunity (FHEO) (see <u>Memo</u>, <u>9/29</u>). Following the whistleblower report, Palmer Heenan and Paul Osedebe, two HUD civil rights lawyers who spoke out about the Trump administration's efforts to limit enforcement of the Fair Housing Act, were <u>fired</u>. <u>Tell your members of Congress</u> that the "Fair Housing Act" is not optional, and HUD must defend civil rights in housing!

In their letter, the lawmakers laid out three key allegations that Secretary Turner must answer for.

- 1. Significant staff reductions at OFH and the de-prioritization of fair housing work: HUD leadership allegedly informed existing OFH staff that fair housing was "not a priority" of the administration and that a well-staffed OFH presented an "optics problem." HUD leadership has intentionally reduced the size of OFH by 70%.
- 2. HUD's potential inability to enforce the Violence Against Women Act (VAWA): HUD is reportedly moving to reassign 75% of the VAWA team at OFH, a move that would strip away HUD's capacity to enforce VAWA and leave the department unable to support survivors of domestic violence, sexual assault, and human trafficking.
- 3. Gag orders for HUD attorneys and the dropping of housing discrimination cases: HUD leadership has reportedly prevented OFH attorneys from communicating with external parties both within and outside of HUD "without express approval from political leadership," hindering OFH's ability to enforce civil rights and fair housing laws. The

agency has also inappropriately closed or halted at least 115 housing discrimination cases, including some where the agency had already found civil rights violations.

"The alleged efforts by HUD leadership to dismantle decades of progress are shameful, betray the American public, and represent a profound abuse of taxpayer dollars. Our respective Committees must take these allegations seriously and call on Secretary Turner to testify before Congress. Failure to act leaves millions of Americans at risk of rampant discrimination in housing and mortgage lending," wrote Representative Waters and Senator Warren.

### Take Action to Defend Fair Housing and Civil Rights!

<u>Tell your members of Congress</u> that the "Fair Housing Act" is not optional, and HUD must defend civil rights in housing! Ask your senators and representatives to speak out against Secretary Turner's disregard for the law and instead insist that Turner's FHEO enforce the "Fair Housing Act," and fund the Fair Housing Initiatives Program (FHIP) and the Fair Housing Assistance Programs (FHAP). Members can also cosponsor the "<u>Fair Housing Improvement Act</u>" (S.2827, H.R.5443), introduced by Senator Tim Kaine (D-VA) and Representative Scott Peters (D-CA) to protect veterans and voucher recipients from housing discrimination. You can use <u>NLIHC's Take Action page</u> to look up your member offices or call/send an email directly!

Read Representative Waters and Senator Warren's letter calling for a hearing with Secretary Turner here.

Read the House Committee on Financial Services' press release on the letter <u>here</u>.

Read NLIHC's previous Memo on the whistleblower allegations here.

# **Leaked HUD Mixed Status Rule Points to Similar Effort to Keep Families Together** as 2019

By Kayla Blackwell, NLIHC Housing Policy Analyst, Sarita Kelkar, NLIHC Policy Intern, and Sarah Abdelhadi, NLIHC Manager, State & Local Research

Keywords: mixed status, immigrant, housing assistance, Section 214

A recent *ProPublica* article exposed the Trump Administration's draft plans to revoke housing assistance from millions of families, and included a leaked draft of HUD's proposed mixed-status rule, impacting families with mixed immigration statuses. The leaked draft has not yet been published on the *Federal Register*, and the proposal must go through the formal rulemaking process—in other words, mixed-status families retain the right to live together in HUD-assisted housing. Advocates should be aware, however, that the leaked draft proposal shows the Administration's attempts to separate immigrant families, similar to attempts in 2019. Immigrant families in HUD-assisted housing should know their rights in HUD housing programs and can use this resource from the National Housing Law Project (available in English and Spanish).

"Mixed-status" families refer to households with at least one U.S. citizen or eligible immigrant living together with ineligible household members. Current rules allow mixed-status families to

live together in a HUD-subsidized housing if the housing assistance covers eligible (U.S. citizen or eligible immigrant) members only. Family members who do not claim to have HUD-eligible immigration status do not receive assistance, but they can continue to live with family members who do receive HUD housing assistance.

Under Section 214 of the "Housing and Community Development Act of 1980," individuals' eligibility for federal assistance housing programs depends, in part, on their immigration status. In addition to U.S. citizens and nationals, eligible non-citizens include lawful permanent residents, "Violence Against Women Act" (VAWA) self-petitioners, asylees and refugees, parolees, persons granted withholding of removal, certain victims of trafficking, individuals residing in the U.S. under the Compact of Free Association (COFA), and immigrants admitted for lawful temporary residence prior to January 1, 1982. Some immigrants with legal status – including individuals with student visas and Temporary Protected Status (TPS) holders – are ineligible for most federal housing programs.

In 2019, under the first Trump Administration, HUD proposed a mixed-status rule that would have forced impacted households to choose between separating as a family to keep their subsidy or face eviction and potentially homelessness. If the rule were finalized in 2019, HUD's own data analysis projected the eviction of 25,000 immigrant families with 55,000 of those impacted eligible children (see *Memo*, 4/5/21). The proposed rule received over 30,000 comments during the public comment period, with more than 95% of the comments in opposition to the rule. The final rule was never published and finally withdrawn during the Biden Administration in 2021.

HUD's leaked draft proposed mixed-status rule repeats the Trump Administration's 2019 efforts to break up or evict mixed-status families in HUD-assisted housing. Features of the draft rule include:

- Eliminating a family member's right to contend eligibility, meaning that every family member in a household under age 62 would need to be of eligible immigration status under Section 214 for the family to receive HUD housing assistance.
- Eliminating prorated assistance for mixed-status families.
- Requiring all HUD-assisted tenants, regardless of age, to verify their eligible immigration status.

The leaked draft proposal points to a similar rule as in 2019. If formally proposed in the *Federal Register*, the rule would not only cost housing providers time with verification and additional subsidies following the elimination of prorated assistance, but force immigrant families to impossibly choose between separation and self-eviction. Although the claim behind the 2019 rule was that it addressed the waiting list for public housing, there is only evidence that demonstrates its failure to expand the number of families receiving housing assistance—ultimately, perpetuating harm to immigrant families at a greater cost.

Learn more about mixed-status families and immigrants' access to housing in NLIHC's 2025 Advocate's Guide, "Housing Access for Immigrant Households" here.

### **HUD Postpones NSPIRE New Affirmative Requirements Compliance Date**

By Ed Gramlich, NLIHC Senior Advisor

Keywords: NSPIRE, compliance date, postpone, requirements, Affirmative Requirement

HUD posted joint Notice PIH 2025-27/H 2925-05 on September 30, postponing until October 1, 2026, the scoring of the new "Affirmative Requirements" under the National Standards for the Physical Inspection of Real Estate (NSPIRE). The new scoring date applies to Public Housing and all private housing assisted with HUD's Multifamily programs (Project-Based Rental Assistance, Section 202 Supportive Housing for the Elderly, and Section 811 Supportive Housing for Persons with Disabilities). The joint Notice applies to six categories of affirmative requirements. NSPIRE's affirmative requirements are property features or requirements that must be met. Failing to meet one of these requirements is considered a defect, resulting in point deductions from the property's overall NSPIRE score. HUD explains that it is postponing scoring because property owners are having difficulty complying. A previous joint Notice PIH 2024-39/H 2024-11 extended the date to October 1, 2025.

HUD's Real Estate Assessment Center (REAC) Affirmative Requirement deficiencies found during NSPIRE inspections must be mitigated within a timeframe depending on the NSPIRE Standards severity category (Life-Threatening, Severe, Moderate, and Low). NSPIRE physical inspections focus on three areas: the housing units where HUD-assisted residents live, elements of their building's non-residential interiors, and the outside of buildings, ensuring that components of these three areas are "functionally adequate, operable, and free of health and safety hazards." Each of the three inspection areas have "Affirmative Requirements." Details about the Affirmative Requirements are provided in the <a href="NSPIRE Standards Notice">NSPIRE Standards Notice</a> and the NSPIRE Administrative Procedures Notice.

The new joint Notice PIH 2025-27/H 2025-05 lists six areas of "non-scored defects," including fire-labeled doors, Heating, Ventilation, and Air Conditioning (HVAC), interior lighting, minimal electrical outlets, and guardrails. Under HVAC, for example, scoring is postponed even if a heating source is not working even though the inside temperature is less than 64 degrees Fahrenheit, or if a heating source is damaged, inoperable, missing, or not installed. For electrical outlets, the failure to have at least two working outlets in each habitable room will not be scored during the compliance extension.

Read Notice PIH 2025-27/H 2025-05 here.

HUD no longer has a NSPIRE-specific website with many resources; however, basic NSPIRE material is available on HUD's "HUD Partners" web page, at "Inspections for HUD Housing."

More information about NSPIRE is available on <u>page 4-120</u> of NLIHC's <u>2025 Advocates' Guide</u> and a "Summary of Key Provisions of the Final National Standards for Physical Inspection Regulation (NSPIRE)" (May 2023) is on NLIHC's <u>Public Housing webpage</u>.

### **State and Local Innovation**

# State Legislators Introduce New Tenant Protection Policies During 2025 Legislative Sessions, Underscoring Efforts to Strengthen Renters' Rights

By Nada Hussein, NLIHC State and Local Research Analyst

Keywords: tenant protections, eviction, rent control, just cause, right to counsel, eviction record sealing and expungement, "junk fees," code enforcement and habitability

NLIHC has identified more than <u>150 pieces of state legislation</u> introduced in 2025 to advance tenant protections, reflecting the persistent efforts of housing advocates and tenant leaders throughout the country. These proposed laws and programs help ensure that renters can access and remain in safe, stable housing of their choice, free from discrimination and unfair treatment. NLIHC tracks the introduction, passage, and implementation of state and local-level tenant protections in our <u>State and Local Tenant Protections Database</u>.

Currently, the federal government provides very few protections for renters. As such, states and localities play an important role in closing the gaps in existing federal tenant protections. Tenant protections can bolster affordability, accessibility, adequacy, equity, and safety for renters. Lawmakers and administrators can address the issues impacting renter households by: ensuring that housing is affordable by enacting rent stabilization measures; ensuring housing is accessible by protecting tenants against discriminatory housing practices; ensuring housing is adequate by requiring that tenants' homes are free from health and safety hazards; and ensuring housing is equitable by requiring lease agreements to be language accessible - among other policy solutions that safeguard renters from threats to housing stability.

Although most state tenant protections introduced this year did not pass, housing advocates led strong – and even historic – campaigns to strengthen renters' rights. By building cross sector coalitions, strengthening political will, and engaging tenants at all stages of the political process, advocates made clear that there is momentum at the state-level to enact protections for renter households.

The following memo provides information on high-level legislative trends for 2025, including the categories in which tenant protections were introduced this year at the state-level only. In highlighting these efforts, tenant advocates and housing organizations are able to gain insight into the types of policies that were introduced, the core components of each of the bills, and the specific language used, which in turn, can help advocates in other states develop legislation within their own communities or connect with partners across the country to talk through advocacy strategies. For a full list of tenant protection policies that informed this memo, please visit the tracker <a href="here">here</a>. NLIHC compiled a similar <a href="wrap-up memo">wrap-up memo</a> in 2024 that highlighted how tenant protections fared across state legislative sessions in that year.

### Eviction Record Sealing and/or Expungement

Eviction record sealing and expungement laws are protections that seek to minimize the negative consequences of having an eviction filing present on a tenant's public record by making records inaccessible to landlords, property owners, or third-party entities, including credit screening companies. Through eviction record sealing laws, a tenant's eviction record is hidden from

public view, while eviction record expungement laws completely remove an eviction filing from the legal record.

As of 2025, 21 states have active eviction record sealing or expungement laws. During this 2025 legislative year, 14 states introduced laws to either strengthen existing sealing or expungement protections or create new ones. Of the states where legislation was introduced – Connecticut, Delaware, Florida, Hawai'i, Indiana, Kansas, Nebraska, Nevada, New Mexico, North Carolina, North Dakota, Pennsylvania, Rhode Island, and South Carolina – just three passed, with Indiana updating existing state legislation and Delaware and North Dakota creating new protections for renters.

Delaware's new eviction record expungement law, "Senate Bill 115," stipulates that a renter with an eviction record must satisfy at least one of the following requirements before moving to have their eviction record expunged, including waiting at least 5 years since a judgement was entered against the tenant; the tenant has satisfied any monetary judgements present against them; the court dismissed the landlord's complaint; or the final judgement was awarded in favor of the tenant, among other stipulations. NLIHC's state partner in Delaware, the Housing Alliance of Delaware, supported the passage of the bill.

### "Just Cause" Eviction Standards

Known also as "good cause" or "for cause" laws, "just cause" eviction protections limit the reasons or causes for which a landlord can evict a tenant or refuse to renew a tenant's lease when the tenant is not in violation of the lease or a law. Instead, just cause eviction standards explicitly define the reasons for which a tenant can be evicted, including reasons such as non-payment of rent or another verifiable violation of the tenant's lease agreement.

Since the COVID-19 public health crisis between 2020 and 2023, just cause eviction laws have gained traction at the state and local levels. As of 2025, 10 states nationwide, as well as in Washington D.C., have just cause eviction laws. In 2025, 8 states, including Connecticut, Hawai'i, Maryland, Minnesota, Missouri, New York, Oregon, and Rhode Island introduced state level just cause legislation. None of these bills, unfortunately, passed this year.

In the state of Connecticut, a <u>broad coalition</u> of housing advocates, tenant leaders, unions, and legal aid service providers advocated to update the state's existing just cause ordinance which currently only applies to renter households where the occupants are 62 years of age or older. Though the state's just cause bills "<u>House Bill 6889</u>" and "<u>Senate Bill 988</u>" did not pass through the legislature, housing advocates in the state, which included NLIHC state partner, the <u>Partnership for Strong Communities</u>, employed significant advocacy efforts to strengthen renters' rights, making it one of the organization's top <u>policy priorities</u> for 2025. Despite the loss encountered in the Connecticut House of Representatives, housing advocates built a strong presence in the legislature, including groups such as the <u>Connecticut Tenants Union</u> and the <u>Connecticut Fair Housing Center</u>, who connected with lawmakers, held rallies at the state Capitol, and engaged with tenants to speak out in favor of just cause. These efforts showcased the importance of people power and raised awareness around the importance of addressing nofault evictions, especially as <u>the state saw a 24% increase in no-fault evictions</u> over the last five years.

Laws Strengthening Code Enforcement Procedures and Habitability Standards

Under code enforcement and habitability laws, municipalities seek to enforce administrative housing codes to ensure the safety and quality of residential dwelling units. By passing such laws, lawmakers mandate that landlords and property owners ensure that residences are fit for habitation and that essential services like electricity, running water, and functioning heating and cooling systems are present.

State and local lawmakers can advance a diverse set of policies to ensure tenants are able to reside in housing that is free from health and safety concerns. Such policies include hiring additional building code inspectors, instituting a rental registry to track landlords and property owners, and requiring that maintenance issues are rectified by a certain deadline. Six state tenant protection bills were introduced this year, in Hawai'i, Maine, Michigan, New York, Oklahoma, and Oregon, to address habitability. Of these state bills, none were signed into law. The bills in Maine and Michigan had some success, but in the end did not pass. In Maine, the proposed law was held by the governor without being signed. The Michigan bill ("Senate Bill 19") made it to a third reading. While the bills in Michigan did not pass, there is momentum for lawmakers to address habitability issues in the rental market. In September 2025, state Democrats put forth 17 consolidated tenant protection bills into a package that includes legislation to ensure safe and hazard-free housing conditions.

Laws that strengthen code enforcement procedures are diverse in nature, but the common principle is to ensure that tenants reside in habitable housing that is free from health and safety hazards. Of the proposed laws this year, Hawai'i ("Senate Bill 306") would have capped a tenant's rent if a habitability issue was present in their home, while also ensuring that if a landlord could not remove a tenant from their home before the habitability concerns were addressed in a timely manner. In Maine, "Legislative Docket 1927" would have added mold to the state's implied warranty of habitability. An implied warranty of habitability includes conditions codified into law that rental homes need to meet for habitability. By the end of session, Hawai'i's bill died in committee, while Maine's bill was not signed by the governor.

Laws Expanding Notice Requirements or Laws Related to the Summons Process for Eviction

Laws that expand notice period requirements aim to increase a tenant's access to timely information and require landlords to provide information prior to filing an eviction or related to the eviction process. In 2025, 13 pieces of legislation were introduced across the District of Columbia and eight states: Hawai'i, New Hampshire, Oklahoma, Rhode Island, Texas, Virginia, Washington, and West Virginia. Oklahoma, Virginia, Washington, and West Virginia all passed their bills, though those in Oklahoma and Virginia were vetoed by their respective governors.

Laws Limiting Excessive Rental Fees or Increasing Transparency Around Fees

"Junk fees" are rental fees that exacerbate the rental housing unaffordability crisis by requiring tenants to pay additional costs on top of their base rental payments, including when applying for a rental unit as a prospective renter, residing in a unit, moving, or even during the eviction process. During a tenant's lease term, these laws seek to increase transparency in the rental housing market by uncovering any hidden, surprise, or arbitrary rental fees, including convenience fees, processing fees, administrative fees, excessive late fees, security deposit fees,

and utility fees. Junk fee legislation has grown in popularity in recent years, with the Biden administration releasing a <u>brief</u> in 2023 that exposed the harmful nature of rising rental costs.

In August 2024, NLIHC released a toolkit on laws limiting excessive rental fees, or "junk fees." The toolkit, which includes information on the ways in which state and local housing advocates can address excessive junk fees for renters, details the core components of such protections and highlights the now-24 states that have enacted such protections for renters. During this 2025 legislative session, 15 pieces of state legislation were introduced in Colorado, Florida, Hawai'i, Illinois, Iowa, Massachusetts, Michigan, Nevada, New Jersey, New Mexico, New York, Rhode Island, and Washington. Nevada successfully passed "Assembly Bill 121" to require landlords to offer tenants a fee-free way of paying rent while also requiring landlords to refund certain rental fees to prospective renters. New Mexico successfully passed "Senate Bill 267," which requires landlords to refund a prospective renter's application screening fee if they are not chosen for a unit. Such protections that target application fees charged to tenants are critical because prospective renters often apply for multiple housing units when searching for home, which, in turn, can lead a renter to accumulate hundreds of dollars in application costs with no guarantee that the renter will even secure a unit.

#### Rent Stabilization Laws

Rent stabilization laws limit the ability of landlords and property owners to implement excessive rent hikes that price tenants out of their housing. Such laws typically regulate both the frequency and amount of rent increases. In 2025, NLIHC tracked the introduction of 10 pieces of legislation that would have enacted new rental stabilization laws, hoping to join the District of Columbia, California, and Oregon, that have already enacted these protections. While the District of Columbia, Hawai'i, Maine, Massachusetts, Oregon, and Rhode Island did not pass their proposed legislation, advocates in Washington won a historic campaign to secure rent stabilization protections for renter households.

Under "House Bill 1217," renters in Washington State will have their rents capped at 7% plus the change in the Consumer Price Index (CPI) or 10%, whichever is less. NLIHC's state partner, the Washington Low Income Housing Alliance (WLIHA) helped lead the efforts to secure antirent gouging protections for renters across the state, which took effect immediately upon signature by Washington Governor Bob Ferguson in May 2025. As noted by WLIHA, more than 5,700 individuals contacted their lawmakers in support of "House Bill 1217."

To learn more about NLIHC's state and local work, please visit: <a href="https://nlihc.org/state-and-local-innovation">https://nlihc.org/state-and-local-innovation</a>

To learn about the protections in place across the country, please visit: <a href="https://nlihc.org/tenant-protections">https://nlihc.org/tenant-protections</a>

Are there any protections not currently listed in our State and Local Tenant Protections Database that you are aware of? Please email NLIHC State and Local Research Analyst Nada Hussein at <a href="mailto:nhussein@nlihc.org">nhussein@nlihc.org</a>

# **Opportunity Starts at Home**

# **Opportunity Starts at Home** Campaign Releases New Podcast Episode on the Impact of Rising Housing Costs on Teachers

By Ella Izenour, NLIHC Opportunity Starts at Home Intern and Julie Walker, NLIHC National Campaign Coordinator

*Keywords*: Opportunity Starts at Home, *multi-sectors*, *podcast*, *housing affordability*, *teachers* 

The Opportunity Starts at Home campaign released a new podcast episode, "The Growing Gap Between Teacher Pay and Housing Costs." The episode, hosted by Julie Walker, features a discussion with Dr. Heather Peske, President of the National Council on Teacher Quality (NCTQ). Dr. Peske discusses a recent report from NCTQ, "Priced Out: The Growing Challenge of Teacher Pay and Housing Costs," which examines the disparity between housing costs and teacher salaries. Analysis of this issue reveals that nationwide, teachers across a wide range of educational backgrounds and experiences are struggling with housing costs.

In a study examining 72 large, urban school districts, NCTQ found that housing costs between 2019 and 2025 have outpaced teachers' salary growth, with rental costs increasing by 51% on average and teachers' salaries only growing by about 24%. The nationwide shortage of affordable housing contributes to an increase in teacher turnover, higher vacancy rates, and districts having a harder time keeping experienced teachers. As teachers are priced out of school districts, schools face higher turnover rates, and students are deprived of consistent, high-quality, and effective education.

The episode highlights the disproportionate impact of housing affordability on teachers of color and school employees earning low wages who are more likely to be rent burdened. While NCTQ's issue brief focuses on educator pay, the conversation stresses that school staff at every income level must be able to afford stable and accessible housing in the communities they serve. The discussion also emphasizes the urgent need for targeted support for teachers in the form of subsidized housing options, low interest home loans, and the prioritization of teacher pay in school budget planning. These changes, along with larger policy changes that increase affordable housing stock and strengthen existing housing programs are crucial to ensuring the needs of educators, school staff, and their communities are fully met.

The National Council on Teacher Quality is a member of the *Opportunity Starts at Home* campaign's Opportunity Roundtable.

Listen to the episode on **Spotify**, **Apple**, and **Soundcloud**.

# **Disaster Housing Recovery**

## **Authorization for National Flood Insurance Program Lapses Amid Shutdown**

By Noah Patton, NLIHC Director of Disaster Recovery

Keywords: FEMA, NFIP

The authorization for the largest residential flood insurance program in the country, the FEMA-administered National Flood Insurance Program (NFIP), <u>lapsed</u> on September 30, freezing the program amid the ongoing federal government shutdown. As a result, homeowners and renters with flood policies or in flood-prone areas will be unable to renew or take on new policies under the program.

The NFIP provides subsidized flood insurance to areas of higher flood risk where private insurance is either unavailable or is financially untenable. The program must be periodically reauthorized, with the last long-term reauthorization occurring in 2012. Congress has passed short-term reauthorization measures 33 separate times since 2017. Despite these bipartisan efforts, derailed discussions over a federal spending bill meant that a reauthorization measure could not be passed before the September 30 deadline.

The lapse of the program means that individuals with expired policies will be <u>unable to renew or increase coverage</u>. Individuals looking to purchase insurance policies through NFIP will be unable to do so until the program is reauthorized. The program does have funding available for now, so claims from current policyholders will still be paid out until the remaining funds are expended.

Not only could this significantly impact policyholders' ability to fully insure homes in flood-prone areas, but it will also have an impact on the real estate market. Lenders are prohibited from issuing government-backed mortgages for properties in FEMA-designated Special Flood Hazard areas unless the building is covered by flood insurance. As a result, the inability for new owners to access flood insurance via the NFIP could prevent these real estate transactions from moving forward. NFIP supports half a million home sales annually according to the National Association of Realtors.

The areas most likely to be impacted by this lapse in authorization are Florida, Texas, and Louisiana, where private insurers have been limiting access to policies, requiring homeowners to almost exclusively rely on policies offered by the NFIP.

### The Impact of the Government Shutdown on Disaster Response

By Oliver Porter, NLIHC DHR Intern and Noah Patton, NLIHC Director of Disaster Recovery

Keywords: government shutdown, essential government workers

With the government shutdown beginning on October 1, it is important to understand how the absence of government funding will affect disaster response capabilities and related agencies like FEMA. Shutdowns are caused when Congress fails to approve the annual appropriations bills (of which there are 12) that provide the government with the funds it needs to function. Government shutdowns affect every federal agency differently.

Under the "Antideficiency Act," federal agencies cannot spend or obligate any money without an appropriation (or other approval) from Congress. When Congress fails to enact the appropriation bills, federal agencies must cease all non-essential functions until Congress acts, triggering a

government shutdown. "Essential" government employees, such as air traffic controllers and law enforcement personnel, must continue to work, while those deemed nonessential (e.g. park rangers) stay home and are furloughed. By law, government employees are paid retroactively when the shutdown ends, but in the meantime, they are not paid.

Much of FEMA's work falls under the essential category. According to a <u>September 19 DHS memo</u>, out of FEMA's 24,925-person workforce, 20,975 employees will keep working, while about 3,950 employees will be furloughed. Similarly, the Disaster Relief Fund which funds FEMA's disaster operations will remain operational and currently contains several billion dollars.

The situation is made more complicated by the fact that the Trump administration has threatened to fire government workers who are deemed nonessential. Given earlier DOGE staffing cuts, this threat, if seen through, could further deplete the workforces of FEMA, HUD, and other agencies, which would exacerbate staffing issues and could delay disaster response and recovery efforts. Furthermore, the Trump administration reportedly wants to weaken FEMA and promote statelevel disaster response instead. A shutdown could be used to attempt this.

Considering this political environment, it is critical for members of the NLIHC's Disaster Housing Recovery Coalition (DHRC) to remain watchful, ready to mobilize and challenge any effort to weaken disaster management capabilities.

## **Rural Housing**

# Join the Housing Assistance Coalition's Rural Homelessness Summit and National Rural Housing Conference

By Kayla Blackwell, NLIHC Housing Policy Analyst and Sarita Kelkar, NLIHC Policy Intern

Keywords: rural housing, homelessness, conference

The Housing Assistance Council (HAC) is hosting its National Rural Housing Conference from November 4 to November 7, 2025, which includes the National Summit on Rural Homelessness on November 4, 2025. Summit attendees will have the opportunity to engage in a daylong series of presentations, panels, and discussions covering narrative-building, federal initiatives, and leveraging innovations in data and AI. With consideration given to shifts in funding, the Summit will focus on how to sustain rural Continuum of Care planning while serving special populations—connecting tools of advocacy and stories of success and learning to rural stakeholders. Panelists come from varied backgrounds, including housing nonprofits, coalitions, and academia.

Following the Summit, the National Rural Conference brings together rural housing leaders, policymakers, and practitioners for a four-day convening. With 700+ attendees and 300+ organizations coming from across the country, the week's training, networking, and reconnecting will allow attendees to share ideas and collaborate towards envisioning affordable rural housing. Gathering in a time of uncertainty, the conference will prove meaningful in exchanging lessons and strengthening relationships.

Rural populations often face unique challenges to accessing affordable housing: lower wages, higher rates of poverty, and poor contributions to housing development. With these unique challenges comes the need for intentional solutions designed to target resource allocation and support communities—even amidst underfunded federal housing investments in rural areas. NLIHC partners with HAC on advocating for rural housing and invites rural housing advocates to attend.

Register for the conference here.

### **Our Homes, Our Votes**

# **Climate Resilient Elections Act Introduced to Protect Voter Access During Disasters**

By Brendan McKalip, NLIHC Our Homes, Our Votes Intern

Keywords: Our Homes, Our Votes, voter engagement, disaster recovery

The Climate Resilient Elections Act (<u>H.R. 5407</u>) is designed to ensure the resiliency of elections in the face of the worsening climate crisis. The bill requires every state that receives federal election funding to submit a continuity of operations plan in the event of a major disaster to the Election Assistance Commission. The plan is to be submitted within the next three years and updated every five years until 2043. The bill also directs the Government Accountability Office to analyze and report on how natural disasters affect voter registration rates in impacted areas, ways the federal government could better assist state and local governments in carrying out elections in the event of a major disaster, and whether Congress should authorize any new forms of emergency aid to support election infrastructure. To prepare for climate-driven disasters, the bill also allocated \$20 million per year for fiscal years 2026-2030 to award new grants to states to protect against the disruption of elections due to disasters. The grants are intended to:

- Improve election disaster preparedness;
- Educate voters about disaster-related changes;
- Train election officials and poll workers on disaster response;
- Develop/publish their COOP plans;
- Upgrade or replace voting systems/technology for resiliency; and
- Establish disaster hotlines for voters.

The bill is a response to the rise in major and destructive climate-driven weather events in the US. A recent report from the National Centers for Environmental Information found that there were 27 individual weather and climate disasters with at least a billion dollars in property damages in 2024. Furthermore, federal general elections coincide with hurricane season, and the recent experience of election administrators navigating major weather events has demonstrated the need to strengthen our election infrastructure to ensure its resiliency in the event of major weather events. When Hurricane Helene made landfall last September, just weeks before Election Day, it caused extreme damage and devastation in the southeastern US. The hurricane displaced thousands of people and disrupted mail services for countless voters who rely on the

United States Postal Service to cast a ballot. Disruptions like these place obstacles in front of millions of Americans when it's time to cast their ballots.

In line with the bill's findings, the Subcommittee on Elections convened a hearing on September 16, 2025, in which the Florida Secretary of State, former North Carolina election officials, and others testified on administering elections amid natural disasters. Witnesses covered several topics but focused closely on how Florida was able to conduct elections during Hurricane Helene in September 2024 and the importance of election security during disaster emergencies.

Stacy Eggers of the North Carolina Board of Elections recalled that Hurricane Helene struck with 38 days before Election Day, stating "ten of our county offices were closed for extended periods of time due to lack of electrical, telecommunication, internet, power, and water service." He stressed that "delaying or suspending elections is simply not an option," and emphasized the need for bipartisan directives and advance planning.

Florida Secretary of State Cord Byrd testified that his state treats elections as critical infrastructure even during hurricanes, stating that "Florida does not delay or cancel elections, and voters must have the opportunity to vote in fair weather or foul." Byrd described how Florida Governor DeSantis issued executive orders to add early voting sites, reroute mail ballots to displaced voters, and extend deadlines. Despite three major hurricanes in 2024, Florida achieved its highest turnout in thirty years.

Karen Brinson Bell, who directed North Carolina's elections during Hurricane Helene, credited partnerships with FEMA and state emergency management for rapid support, including generators, satellite devices, tents, and ATVs. "By October 17, 76 of 80 planned early voting sites in the 25-county disaster region opened on schedule with power," she noted.

The hearing and the Climate Resilient Elections Act demonstrate the threat that climate-driven disasters pose to our elections. Such disasters displace voters, shut down polling places, damage election infrastructure, and halt mail service that so many rely on to cast their ballot.

These impacts fall hardest on underserved communities, and low-income persons are particularly vulnerable when major weather events force displacement, separate them from key documents, or leave them without reliable transportation. For this reason, election officials and legislators are stressing that election systems must be ready in advance with training, clear strategies, and communication plans to reach voters during emergencies.

### Watch the full hearing <u>here</u>.

Read the bill draft of "Climate Resilient Elections Act" here.

### **Tenant Talk Live**

# Join Today's (10/6) "Tenant Talk Live" on Preventing Evictions in Immigrant Communities

By Sidney Betancourt, NLIHC Manager, Inclusive Community Engagement

Keywords: Tenant Talk Live, evictions, immigrant communities

Join NLIHC's next "Tenant Talk Live," a meeting geared toward tenant and resident leaders, today, Monday, October 6, at 6:00 pm ET (5:00 pm CT, 4:00 pm MT, and 3:00 pm PT). Join this month's call to learn more about The Rent Brigade's recent report, "Disappeared and Displaced: ICE Pushes LA Tenants Toward Eviction," highlighting the economic impact of ICE raids on immigrant tenants in Los Angeles. Participants will also learn about other advocacy efforts from The Rent Brigade and how they have built tenant power using data.

Joining "Tenant Talk Live" this month is The Rent Brigade's Denton Cohen. Denton Cohen is a public servant, labor organizer, and policy researcher based in Los Angeles. A proud member of The Rent Brigade and UAW Local 872 alum, Denton currently serves the public for a living and fights the landlord lobby in his spare time. You can follow him @dent-on.bsky.social.

The Rent Brigade is a collective of tenant organizers, advocates, web programmers, designers, researchers, and other Angelenos using data to fight landlord crime and build tenant power across Los Angeles. The Rent Brigade maintains a database of illegal rent gouging in the aftermath of the 2025 LA Wildfires, located at <a href="rentbrigade.org/data">rentbrigade.org/data</a>.

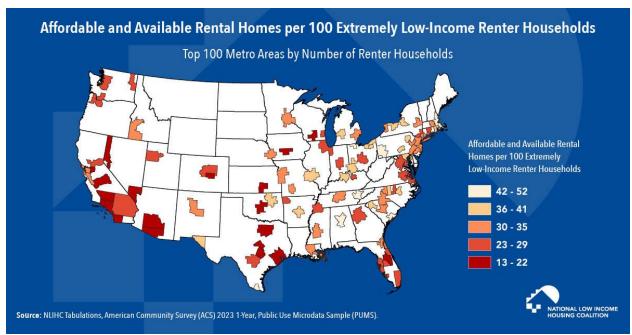
### **Register** for today's "Tenant Talk Live."

Remember: "Tenant Talk Live" would not be possible without tenants like you! We strive to connect and engage with tenants and tenant leaders through our webinars. If you are a low-income tenant and have a topic you would like to propose for an upcoming "Tenant Talk Live," or if you would like to participate as a speaker on an upcoming call or webinar, please email <a href="mailto:sbetancourt@nlihc.org">sbetancourt@nlihc.org</a>.

Stay up to date on "Tenant Talk Live" events via the Facebook group.

### Fact of the Week

Affordable and Available Rental Homes per 100 extremely Low-Income Renter Households



**Source**: NLIHC Tabulations, American Community Survey (ACS) 2023 1-Year, Public Use Microdata Sample (PUMS).

### **Events**

# **Exploring "Working & Homelessness" in America: A Conversation with Brian Goldstone**

By May Louis-Juste, NLIHC Project Manager, Strategic Partnerships

A talk with Brian Goldstone will be taking place on Thursday, October 16, from 12:30 pm to 2:00 pm ET. "The Lens Series: There Is No Place for Us: Working and Homeless in America" will be a powerful webinar featuring anthropologist, journalist, and acclaimed author Brian Goldstone.

Drawing from his groundbreaking book, Goldstone sheds light on the hidden struggles of working families experiencing homelessness across the United States. Through vivid storytelling and on-the-ground research, he challenges common assumptions, reveals the economic forces driving families into precarious living conditions, and honors the resilience and humanity of those navigating them.

Goldstone's reporting has appeared in *The New Yorker*, *Harper's*, *The Atlantic*, *The New Republic*, and more, blending ethnographic research with compelling narratives to examine inequality, labor, and housing in America today.

### Register to join the conversation here.

### **NLIHC News**

# NLIHC and PAHRC to host joint NHPD Webinar on October 15 at 2 pm ET: Tips and Tricks for Making the Most of the National Housing Preservation Database

By Raquel Harati, NLIHC Research Analyst

Join NLIHC and the Public and Affordable Housing Research Corporation (PAHRC) on Wednesday, October 15, at 2:00 pm ET for a live webinar designed to help you make the most out of the National Housing Preservation Database (NHPD). With de-duplicated, address-level data on nearly 80,000 federally assisted rental properties across the nation, the NHPD is useful for housing advocates, researchers, tenants, and policymakers. The data in the NHPD come from the U.S. Department of Housing and Urban Development (HUD) and the U.S. Department of Agriculture (USDA) and include ten federally subsidized housing programs.

This webinar is designed for both experienced users looking to learn more and newcomers seeking to understand the NHPD's functionality and benefits. Researchers from both organizations will walk through how to access and use the database, demonstrate key features, provide helpful tips for navigating the database, and will highlight recent updates to core resources, including the NHPD User Guide, FAQ page, and more.

Click here to register for the webinar today!

### NLIHC Welcomes Neha Darisi as Tenant Leader Intern

By Neha Darisi, NLIHC Tenant Leader Intern

NLIHC is pleased to welcome Neha Darisi as a Fall 2025 Tenant Leader intern. Neha is a senior at George Washington University, where she is completing a bachelor's degree in anthropology and international affairs with a concentration in international environmental studies. Before joining NLIHC, Neha was a co-lead for a ten-week community organizing fellowship hosted by Rising Organizers. She also worked at George Washington University's Office of Diversity, Equity, and Community Engagement. In that role, she supported programming conducted by the university's Multicultural Student Services Center, facilitated workshops on various social justice issues, and co-organized a retreat for students interested in activism.

# NLIHC Welcomes Oliver Porter as Disaster Housing Recovery, Research, and Resilience (DHR) Intern

By Oliver Porter, NLIHC DHR Intern

NLIHC is pleased to welcome Oliver Porter as a Fall 2025 Disaster Housing Recovery (DHR) intern. In this role, Oliver is thrilled to combine his passion for social advocacy with his devotion to climate change mitigation work by supporting the research, advocacy, and policy work of the

DHR team this fall. Oliver is completing his degree in anthropology at UCLA and will graduate this December.

Oliver brings a background in sustainability research, stakeholder collaboration, and community engagement. Being especially fascinated by systems-level change, his work explores the necessity for institutions to be revamped in the face of the worsening climate crisis. During his time at NLIHC, he aims to deepen his understanding of environmental justice and the federal government.

## NLIHC in the News for the Week of September 29

The following are some of the news stories to which NLIHC contributed during the week of September 29:

- "Rent Isn't What It Seems: The Hidden Fees Driving Up Housing Costs and the States Taking Action," *SFGATE*, September 26, at: <a href="https://tr.ee/37v0S0">https://tr.ee/37v0S0</a>
- "National Partners Join CNMI in Strengthening Disaster Recovery," *Marianas Press*, October 1, at: <a href="https://tr.ee/HwKLiq">https://tr.ee/HwKLiq</a>
- "Recent Tariffs Threaten Residential Construction," *Brookings Institution*, October 3, at: https://tr.ee/c6r1rS

#### Where to Find Us—October 6

- <u>Southern Conference on Homelessness and Housing</u> Miramar Beach, FL, October 8-10 (David Gonzalez Rice and Nada Hussein)
- <u>Under One Roof/HCDNNJ Annual Conference</u> New Brunswick, New Jersey, October 24 (Renee M. Willis, Keynote Speaker)

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