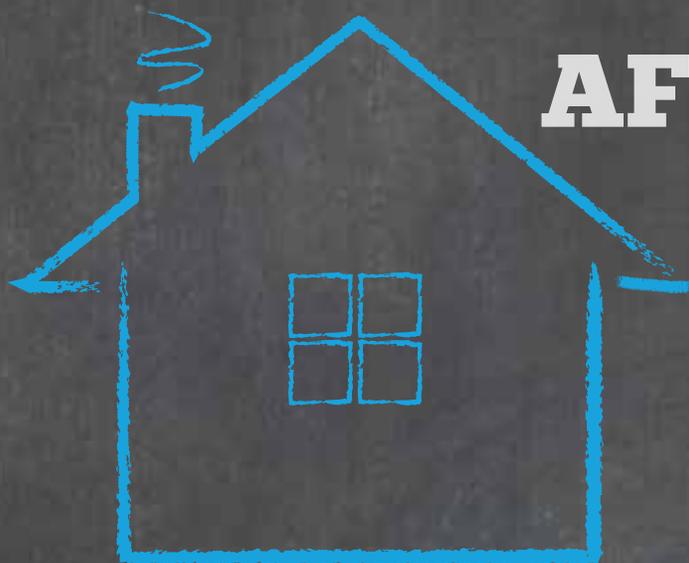


# TENANT TALK

WINTER-SPRING 2016 | VOLUME 7, ISSUE 1

A New Tool for Fighting  
Discrimination:

## **AFFIRMATIVELY FURTHERING FAIR HOUSING**



### **ALSO IN THIS ISSUE:**

- Fair Housing: Keeping Tenants Informed
- Federal Budget Update
- Residents Attend White House Convening
- Recent Local Organizing Victories
- Congratulations Delorise Calhoun

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## NATIONAL LOW INCOME HOUSING COALITION

### ABOUT NLIHC

The National Low Income Housing Coalition is dedicated solely to achieving socially just public policy that assures people with the lowest incomes in the United States have affordable and decent homes.

Part of the way we do that is through public education and engagement. NLIHC is committed to sharing resources and tools that help individual Americans become informed advocates. *Tenant Talk* is one of the many resources we provide the public.

### BECOME A MEMBER

NLIHC relies heavily on the support of our members to fund our work and guide our policy decisions. Hundreds of low income residents and resident organizations have joined the NLIHC community by becoming members.

**We suggest an annual membership rate of only \$5 for a low income individual membership**, and \$15 for a low income resident organization. Please consider becoming a member of NLIHC today at [www.nlihc.org/membership](http://www.nlihc.org/membership), or mail us the enclosed form.

# Dear Readers,

**A**s communities throughout America struggle with issues of racial inequality and income inequality, we feel this is a perfect moment to discuss equal opportunity in housing for all.

Last year was a big year for the issue of fair housing. The Obama administration at last released a new HUD rule on Affirmatively Further Fair Housing with the hope of seeing that communities are developed to include everyone. Last June, the U.S. Supreme Court upheld the standard of *disparate impact*—a legal tool used to demonstrate how a certain policy or practice that may seem neutral, actually has a disproportionate adverse effect on a protected class. In housing cases, disparate impact has been used to show how certain housing development can have a discriminatory impact on communities of color and low income households.

This issue also explores some significant recent victories and new organizing methods. Fighting for affordable, decent, and safe homes can be an uphill battle, but resident leaders and advocates throughout the country are winning on local campaigns more often than you might think. We hope the efforts spotlighted in this issue can provide inspiration for organizing work in your own communities.

Yours in advocacy,

## **Tenant Talk Editorial Board**

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A Letter  
from the  
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# A New Tool for Fighting Discrimination: **AFFIRMATIVELY FURTHERING FAIR HOUSING**



**T**here is a new HUD fair housing regulation about affirmatively furthering fair housing. It's been a long time coming. In 1968, Congress passed the Fair Housing Act—a law which prohibits discrimination in a variety of housing situations based on race, color, national origin, religion, sex, disability, and family status (such as families with children). The Fair Housing Act also required all federal agencies to run their housing and urban development programs “in a manner affirmatively to further” fair housing.

Until now, there have not been real regulations about affirmatively furthering fair housing – “AFFH” for short. Public housing agencies (PHAs) and cities, counties, and states have just had to “certify” (pledge) that they were complying with the law. There were no regulations about how to comply. Everybody agreed the AFFH system was weak – and in many places it was not taken seriously.

While there is a lot of hoopla about the new rule—housing advocates are jumping with joy while opponents are grinding their teeth—Tenant Talk readers should know that the rule's requirements will roll out slowly. The rule won't start for most PHAs or local and state governments for years to come. Until then, the old “Analysis of Impediments” process must still be followed.

Still, the new rule is a great achievement, and everybody who cares about fair housing should know what it means for them and their community. The new AFFH rule is primarily about fair housing planning. According to the opening text of the final AFFH rule, its purpose is to enable PHAs and local and state governments to make plans that will help them “take meaningful actions to overcome historic patterns of segregation, promote fair housing choice, and foster inclusive communities that are free from discrimination.”

The new rule is clear that affirmatively furthering fair housing is not just about building affordable apartments in areas with better schools or closer to job opportunities, or enabling people in protected classes to move to whatever neighborhood they choose. AFFH also includes preserving existing affordable housing and encouraging revitalization of communities.

## The Old (and Still Current for Most) AFFH System

PHAs administering public housing and vouchers have had to:

1. Examine their programs to identify “impediments” (barriers) to fair housing choice;
2. Take actions to address those impediments;
3. Work with local governments to carry out the local government’s AFFH efforts; and,
4. Keep records showing the analysis and actions taken.

Most cities, counties, and states administering CDBG and HOME have had to:

1. Have an “Analysis of Impediments” to fair housing choice, called an “AI”;
2. Take “appropriate” actions to overcome the effects of impediments; and,
3. Keep records showing the analysis and actions taken.

This old system has no real guidance about what might be an impediment to fair housing choice or a genuine action to overcome an impediment. Some cities just put up a fair housing poster and claimed they fully complied with the law.

## What Will Be Different With the New Rule?

There are six big differences that will come with the new AFFH rule.

1. **The Assessment of Fair Housing (AFH):** The Analysis of Impediments (AI) will be replaced by the Assessment of Fair Housing (AFH). For the AFH, the rule requires PHAs and local and state governments to identify “fair housing issues” and so-called “contributing factors” that cause the fair housing issues.

Fair housing issues are conditions that restrict fair housing choice or access to opportunities. The rule requires PHAs and local and state governments to look at:

- a. Integration and segregation patterns.
- b. Racially or ethnically concentrated areas of poverty, “R/ECAPs” for short.
- c. Major differences in access to opportunities

## Slow Roll Out of the New AFFH Rule

Most PHAs and local and state governments will not have to use the new AFFH system until 2020 or later.

- CDBG jurisdictions receiving more than \$500,000 in 2015 that must have a new 5-year ConPlan on or after January 1, 2017 will be the first that must submit an initial AFH. There are very few such jurisdictions – maybe 30.
- PHAs with more than 550 units of public housing and/or vouchers (combined) do not have to use the new AFFH system until their next 5-Year PHA Plan is due after January 1, 2018.
- States do not have to comply until their next new 5-year ConPlan is due after January 1, 2018.
- CDBG jurisdictions receiving less than \$500,000 in 2015 do not have to begin using the new AFFH system until their next new 5-year ConPlan is due after January 1, 2018.
- PHAs with fewer than 550 units of public housing and vouchers (combined) do not have to comply until their next 5-Year PHA Plan is due after January 1, 2019.

Until a PHA or a local or state government is required to submit an AFH, it must continue to follow the current AI process.

such as quality education, employment, transportation, and environmental health.

- d. Major differences in housing needs between people in protected classes and others. For example, a big difference in the percentage of protected-class and others spending more than 30% of their income for rent and utilities.

Contributing factors continue, create, contribute to, or increase the severity of fair housing issues. HUD has a draft “AFFH Assessment Tool” that gives examples of 39 possible contributing factors. Examples include: refusing to rent to people with vouchers; a shortage of affordable apartments that have the number of bedrooms needed by families; opposition to affordable housing by people in a community; bad PHA admissions and occupancy policies; displacement

*Continued on the next page*

## PHAs Have Three Choices

PHAs must prepare an AFH once every five years, when a new 5-Year PHA Plan is due. PHAs have three options for meeting their AFH requirements:

- Option 1: A PHA may work with a local or state government to prepare a joint AFH.
- Option 2: A PHA may participate with one or more other PHAs in the area to plan for and prepare an AFH.
- Option 3: A PHA may conduct its own AFH.

Moving to Work (MTW) PHAs don't have 5-Year PHA Plans. Instead they have annual MTW Plans. HUD will give individual MTW PHAs specific timeframes.

caused by rising rents; zoning laws that limit the building of apartments; and, housing that is not accessible for people with disabilities.

2. **HUD-Provided Data and Required Use of Local Knowledge and Data.** To help PHAs and local and state governments analyze fair housing issues and contributing factors for the AFH, HUD will provide each with data covering the local jurisdiction and the surrounding region. PHAs and local and state governments must consider this data. Plus, they must consider local data easily available from others, such as data from studies done by local universities. Most importantly, the rule requires PHAs and local and state governments to consider “local knowledge” – the information about situations you provide during the required public participation process (see #5).
3. **Making Priorities and Setting Goals.** Once fair housing issues and contributing factors are analyzed, PHAs and local and state governments must say in the AFH which contributing factors have priority. The AFH must include a justification for the priorities. For example, the AFH might have to explain why a zoning ordinance prohibiting apartments is a low priority – or not a priority at all. Using the priorities, PHAs and local and state governments must set goals for overcoming the effects of the priority contributing factors.
4. **Strategies and Actions Linked to the ConPlan and PHA Plan.** What happens to the goals in the AFH? When a PHA has to make a new 5-Year PHA Plan or when a local or state government has to make a new 5-Year Consolidated Plan

(ConPlan), they will have to come up with strategies and actions that address the fair housing priorities and can achieve the goals. However, you won't find the strategies and actions in the AFH. Still, the new rule's talk about connecting the AFH and ConPlan or PHA Plan is very new and a big improvement.

## Supreme Court Upholds Key Fair Housing Standard

The U.S. Supreme Court upheld the “disparate impact” standard in housing discrimination. Disparate impact refers to government or business policies or practices that do not have a stated intent to discriminate, but that really do have the effect of discriminating. For example, an apartment owner that only rents to people who have full-time jobs is not explicitly discriminating against someone in one of the protected classes. But the effect is to deny an apartment to people who can't work, such as people with disabilities. The State of Texas challenged disparate impact, but ultimately lost. Advocates for fair housing can continue to sue based on discriminatory impacts.

NLIHC has more information about affirmatively furthering fair housing at <http://nlihc.org/issues/affh>

5. **Public Participation.** For the first time, the rule requires public participation in the AFFH process. The rule amended the ConPlan and PHA Plan public participation regulations by referring to the AFH. This means encouraging public participation and seeking input before drafting an AFH, as well as seeking comments about a draft AFH. There must be at least one public hearing when the AFH is being developed. One of the two ConPlan-required hearings must address proposed strategies and actions for affirmatively furthering fair housing that are consistent with the AFH. The rule requires ConPlan jurisdictions to consult with community-based organizations that represent protected class members, as well as organizations that have knowledge or data that should inform the AFH.

*Continued on page 14*

# FAIR HOUSING: Informed Renters are Empowered Renters

**H**UD's ruling on Affirmatively Furthering Fair Housing (AFFH) took a step in the right direction toward ensuring communities act to provide more opportunities for tenants to live where they choose. Residents with knowledge about fair housing laws often have more mobility and are able to relocate to communities with more resources, but discriminatory rental practices can be an obstacle to accessing such neighborhoods.

The Fair Housing Act of 1968 declares race, color, national origin, religion, sex, disability, or familial status as protected classes, and many states have additional protected classes such as sexual orientation, student status, or military veteran. Fair housing law can have power beyond the lawyers and politicians who work to achieve strong enforcement. Well-informed tenants can and have done extensive work to make sure their communities thrive in providing fair housing. Throughout America, communities are supported by local fair housing centers that are dedicated to protecting residents' rights against discriminatory housing practices. One example is the Connecticut Fair Housing Center (CFHC), which has had numerous successes fighting for residents of protected classes facing discrimination. They are working now to help guide people wishing to move to better homes with their comprehensive report *Moving Forward: Greater Hartford Renters' Guide*.

## Connecticut Fair Housing Center

Fair housing laws are important in Connecticut, which is one of the most racially segregated states in the country. As such, CFHC provides a number of resources and services to residents. Like other fair housing centers, they offer rights training, foreclosure prevention clinics, file discrimination claims, and conduct investigations on the behalf of residents in Connecticut.

Perhaps CFHC's greatest work is in giving residents the tools they need in order to protect themselves against discrimination as they search for apartments. CFHC's Renters' Guide *Moving Forward* is dedicated to ensuring that renters who want to move can do so, and it has a section dedicated to identifying types of illegal discrimination under the Fair Housing Act, and it instructs tenants on how to contact CFHC to

further investigate the situation. CFHC analyzes the reports and determines what the next steps to protecting their residents will be, such as filing a claim against the owner of the property. CFHC provides *Moving Forward* for free on their website to give Connecticut tenants a fair chance at living in a nice neighborhood and bettering their lives first through housing. *Moving Forward* is a wonderful tool to educate residents about how to relocate sensibly and successfully within Connecticut. If you would like to develop a version of the *Moving Forward* renter's guide to use in your community, Connecticut Fair Housing Center will be happy to help.

For more information, contact Cesar Aleman at 860-247-4400.

## Resources in Your Community

Well-informed residents have an easier time moving into resource-rich communities that can often seem exclusive. Fair housing laws are in place to protect residents from social barriers, but residents themselves can also organize to protect their rights.

Fair housing centers are assets to any community, and can act as tools for those willing to make their communities more unified and safer for people from diverse backgrounds. If you would like to know whether your community has a fair housing center, visit the website of the National Fair Housing Alliance ([www.nationalfairhousing.org](http://www.nationalfairhousing.org)) and select the "Find Local Help" tab for more information and to get involved!



*Moving Forward by the Connecticut Fair Housing Center.*



# SPOTLIGHT ON...

## Recent Local Organizing Victories

### Charlottesville Residents Decrease Eviction Rate

In 2015, public housing residents in Charlottesville, Virginia had a major victory. Led by the Public Housing Association of Residents (PHAR) and Legal Aid Justice Center (LAJC), advocates have secured new standards for public housing that make eviction a last resort. After a two year campaign, PHAR has successfully convinced the Charlottesville Redevelopment and Housing Authority (CRHA) to adopt a policy of last-resort eviction. Their work has also recently improved resident access to community centers, and successfully altered the previous barment policy.

#### EVICTON AS LAST RESORT

PHAR took action when in September of 2012 an elderly long-term resident was evicted from her apartment due to CRHA's increasingly strict policy of immediate eviction upon failure to pay rent. PHAR teamed up with LAJC to write a new eviction policy to be used by CRHA. The new policy focuses on eviction as a last resort. It requires meetings with the housing authority, repayment plans, more hardship exemptions, lease termination notices that outline a course of action on how to remedy the violation, and a \$50 minimum requirement when court summons are issued.

PHAR success in adding additional requirements to CRHA's eviction policies have resulted in a 91 percent decrease in eviction rates compared with 2011-2014. Their campaign strategy was built around large-scale community involvement. Community members marched, rallied, wrote to city representatives and CRHA, and attended discussions at town hall in order to insure their voices were heard. PHAR

*"Through community organizing, our internship program, services coordination, and individual advocacy PHAR has improved the lives of thousands of residents by educating residents about their rights, giving resident input into decision making, supporting resident desires, addressing resident concerns, and standing up for low-income people in Charlottesville and nationwide."*

*—PHAR website*

practices empowerment through education with a stable online presence as a source of information. They also offer paid internship positions with a stipend that is not included in rent calculations, making the positions available for applicants receiving rent stabilization.

## COMMUNITY CENTER ACCESSIBILITY

PHAR has also successfully amended a CRHA policy to improve resident access to community centers. After two years of CRHA failing to negotiate terms, PHAR utilized a provision under federal law that allows resident associations to engage in talks with the housing authority about community center uses. The threat of legal action spurred CRHA to negotiate with PHAR, agreeing to many of what the residents requested. As a result, centers are open longer, residents can reserve them with more flexibility, an electronic key code system was installed with every resident given a key FOB, no video cameras have been installed, and residents are allowed to reserve space even if they owe a rent balance, as long as the debt is less than \$50. Through these negotiations, PHAR has increased fair access to amenities even if residents are behind on rent payments. By increasing the hours the building is open, more residents could utilize the service despite possibly having longer work days. Though there are stipulations, fair access to amenities was made available to all residents because of PHAR's conviction to negotiate with CRHA.

## BANNED GUESTS GET SECOND CHANCE

Before December 2012, CRHA had a strict barment policy concerning people who had been banned from visiting those living in public housing. Previously, banned visitors could be arrested for trespassing if they entered the site, and the resident they were visiting would be at risk of eviction. PHAR petitioned, held public meetings with resident speakers, and generally pushed CRHA for a fair policy that was eventually adopted. Residents of CRHA buildings received copies of the proposed draft for the new barment policy and PHAR made sure to let them know when they could make their opinions heard during the legislative process.

PHAR's excellence in organizing is apparent in their ability to work with other community organizations to achieve their goals. Beginning in 2013, CRHA

residents have enjoyed clearer procedures and timelines for an individual's barment, fairer appeals, clarity in the methods of police intervention, allowances for barred individuals to meet their loved ones under special circumstances, and much more.

## New York's "Poor Doors" Officially Banned

"Poor doors," meaning separate entrances for low income people living in mixed-income housing, had been popping up throughout New York City since a 2009 inclusionary zoning law allowed for the practice in new development requirements. The term "poor doors" was coined by media reports in reference to the practice of segregating facility use depending on whether a resident pays market-rate rent or is rent-stabilized. Under this practice, low income individuals and families who live in rent-stabilized units in luxury high rises have been required by their complex's management to use a separate entrance than their wealthier neighbors.

The logic behind poor doors is that because rent-stabilized tenants do not pay the fee for the doorman, they do not get to use that door. This practice became popular for developers during the years it was allowed by law, existing in large complexes such as Greenpoint Landing, 40 Riverside Boulevard, and 1 Northside Piers.

Extell Development's new building on 40 Riverside Boulevard on the Upper West Side is responsible for the initial poor door controversy when it essentially built two separate complexes but under the same name and on one parcel of land. The market rate units faced the Hudson River, had state of the art amenities like a private theater, pool, bowling alley, and rock climbing wall. The rent-stabilized units faced the street, were built of poorer quality, had separate electrical and elevator systems, and had separate entrances.

Mayor Bill De Blasio is against these forms of segregation, and succeeded in changing the 2009 zoning code through the 421a Tax Abatement Law (421a) passed on June 15, 2015. There were multiple state actors pressuring him to do so. It was through the advocacy efforts of Councilman Mark Levine, Councilwoman Helen Rosenthal, Manhattan Borough President Gale Brewer, Assembly Member

*Continued on the next page*



## MORE THAN DOORS

Developers argue that amenities exist to draw in new market-rate renters, individuals and families who can pay the full rent, increasing profits for the company. The developers think that potential market-rate renters want the exclusivity of special amenities, rather than having them open to all residents. This has resulted in management restricting rent-stabilized tenants' access to fitness centers, playrooms, pools, spas, lounges, bike rooms, and rooftop terraces.

The Westgate Tenants Association in Manhattan is a strong supporter of affordable housing and has recently made a case for the rights of rent-stabilized tenants to have equitable access to amenities in mixed-income New York high-rises.

Stonehenge Village management told residents in February of 2014 that only market-rate tenants would have access to a newly built fitness center.

Rent-stabilized residents, who make up more than 60 percent of the population of Stonehenge, would not have keycard access to the room.

A little over one year after the struggle for equal access began, the residents of Stonehenge Village are celebrating victory.

Management has negotiated with Westgate Tenants Association that the fitness center at Stonehenge Village will be available to all subsidized tenants who pay a monthly usage fee of \$25.

The Westgate Tenants Association gathered to fight against this form of economic segregation. "We will not allow ourselves to be treated as second class citizens in our own home," stated Jean Green Dorsey, Chair of Westgate Tenants Association and Resident of Stonehenge Village.

Ms. Green Dorsey said that the restrictions were meant to pit residents against each other, but the community at Stonehenge Village was too tight-knit to let that happen. Ms. Green Dorsey stated that no market-rate tenants had ever enforced the rule by telling a rent-stabilized tenant that they did not have the right to enter the fitness center. In fact, there are market-rate residents who had refused to enter it themselves until equal-access was granted.

## PAST ACTIVISM

Westgate Tenants Association has had previous victories against housing development corporations. In 1998, the Mitchell-Lama development wanted to gradually increase rents by 300 percent, defeating the purpose and benefit of living in a rent-stabilized unit. The Westgate Tenants Association won legal standing for their apartments and received a Settlement Agreement that protected their homes from any future rent increases. This legal battle set an example used to block similar rent increase efforts throughout the city.

Linda Rosenthal, and Public Advocate Leticia James that the mixed-income housing requirements were made to be more equitable.

Developers receiving the 421a tax break are no longer allowed to segregate their tenants within the building, requiring the second separate entrance. There was also an amendment regarding common areas, stating that "Affordable units shall share the same common entrances and common areas as market rate units." Unfortunately, this change does not apply to developments that already have poor doors or other segregated amenities.

Mixed-income housing developments are typically used as a means of economic integration in historically segregated cities. Developers volunteer to include affordable units because of financial incentives provided by the federal government, such as tax breaks. Seeing extraordinary need, Mayor de Blasio has established a goal of building or preserving 200,000 affordable units by 2024. An increase in mixed-income housing will be a prominent part of this plan.

Westgate Tenants Association filed a claim with the New York City Human Rights Commission citing age discrimination, as many of the rent-regulated residents are over 65. “Housing is more than just a commodity...it is the basis of our lives. Everybody has the right to a quality life,” said Ms. Green Dorsey. The Human Rights Commission investigated Stonehenge Village and deemed that it was a valid claim of discrimination. This action helped bring management to the negotiating table, leading to the eventual victory for residents.

## California’s Recent Housing Victories: Highlighting EBHO’s Involvement

In December 2011, Governor Jerry Brown supported a California Supreme Court decision that eliminated California redevelopment agencies in an effort to bolster the flagging California budget. These agencies previously funded affordable housing programs at \$1 billion annually, generating around 300,000 jobs a year. As a result, cities had to lay off workers, cancel projects, and consider tax increases to make up for the loss of funds. Many housing organizations, tenants, unions, and representatives fought to counteract the cuts.

### EAST BAY HOUSING ORGANIZATIONS

In order to combat the new budget, housing organizations in California worked together to locate other possible sources of revenue. One of these groups was

East Bay Housing Organizations (EBHO), a coalition of local tenant and housing advocacy groups. EBHO is involved in Alameda and Contra Costa counties and organizes with more than 400 other local affordable housing advocates.

EBHO fought to acquire the new property tax increments that were generated in lieu of

“In order to combat the new budget, housing organizations in California worked together to locate other possible sources of revenue. One of these groups was East Bay Housing Organizations (EBHO), a coalition of local tenant and housing advocacy groups.”

the redevelopment money, also known as boomerang funds (named after the way they were taken from local jurisdictions to the state only to be bounced back to the local jurisdictions). They were instrumental in organizing the *Speak Out for Affordable Housing!* Oakland Budget Campaign in 2013. Mayor Jean Quan introduced a budget that would follow Governor Brown in cutting funds for affordable housing. EBHO gathered community members, organizations, and tenant advocates to write letters, speak at public hearings, and call their representatives—primarily a civic participation response.



By summer, the City Council had decided to allocate \$1.8 million of the boomerang funds to housing programs and gave 25% of the ongoing funds annually to the Oakland Affordable Housing Trust Fund starting FY2015-2016.

EBHO also saw success in the summer of 2014 when the Board of Supervisors in Alameda County also decided to adopt a revised budget after being pressured by a similar civic participation campaign. The Alameda County Affordable Housing Trust Fund received \$9.8 million for affordable housing production, \$3.9 million to the Rapid Rehousing Program, and at least \$2 million of annual boomerang funds beginning FY2016-2017.

Though California has been navigating its budget crisis for years, affordable housing advocates and its allies have successfully managed to stay afloat amidst cut programs and changing tax policy. EBHO is a leader in coalition-building and guiding community members to be the best advocates for protecting and furthering affordable housing.

# FEDERAL BUDGET UPDATE:

## Some Relief from Spending Caps

Thanks to advocates throughout the country, Congress heard the call for increased spending on important non-defense federal programs and passed the Bipartisan Budget Act of 2015 (BBA) on November 2. This budget deal relieves some of the pressure imposed by harmful spending caps that were established in the Budget Control Act of 2011. The BBA provides for an additional \$33 billion in non-defense spending. The National Low Income Housing Coalition is especially grateful to those of you who participated in our Caps Hurt Communities campaign to educate Members of Congress about the ways spending caps threaten the livelihoods of renters who rely on affordable housing programs.



The total amount that the House and Senate Appropriations Committees are permitted to spend each year is called the 302a allocation. The committees then decide how to divide the total among the

12 subcommittees. The amount for each subcommittee is called its 302b allocation.

On March 7, the Campaign for Housing and Community Development Funding (CHCDF) sent a letter signed by more than 2,000 national, state and local organizations to Senate and House Appropriations Committee Chairs and Ranking Members urging them to increase the 302b funding allocation for the Transportation, Housing and Urban Development, and Related Agencies (THUD) Subcommittee for FY17.

“Given increases in rents and operating costs,” the letter states, “a strong increase in the FY2017 allocation for the THUD subcommittees is required to provide needed rental assistance for currently-assisted families, and to keep federal efforts to end homelessness on track.”

CHCDF is a coalition of 70 national organizations, including NLIHC, working together toward the highest possible funding for housing, homeless, and community development programs.



*Our Speak Up! Supportive housing resident-community advocates meet with US Representative Lucille Roybal Allard (CA-40) on Capitol Hill (Wednesday, July 15, 2015) to tell their personal stories, how they overcame homelessness through supportive housing, and to request additional federal funding for affordable housing and community-based support services.*



*US Senator Chuck Grassley (Iowa) tours our Keeping Families Together supportive housing demonstration site (PUSH-CR) in Cedar Rapids, Iowa, on Saturday, July 12, 2015. The need for additional federal resources to help keep families housed and healthy was raised with Senator Grassley during his visit.*

# NLIHC Resident Members Attend Convening on Smoking Ban in Public Housing

NLIHC board members Michael Steele, Martha Weatherspoon, and Delorise Calhoun, as well as NLIHC members

Katrice Cheaton and Donald Sherman, attended a White House convening on January 6 to discuss HUD's proposed smoke-free public housing rule.



(L-R) NLIHC Members, Michael Steele (NY), Katrice Cheaton (PA), and Donald Sherman (LA) share their perspectives at the January 6 White House Convening on HUD's proposed ban.

HUD Secretary Julián Castro and United States Surgeon General Dr. Vivek Murthy spoke about the dangers of secondhand smoke, the benefits of smoke-free housing policies, and the steps needed to implement such a rule. "Access to clean and fresh air," said HUD Secretary Julián Castro, "is a right, not a luxury, to which everyone should have access." United States Surgeon General Dr. Vivek Murthy said the ban on smoking at public housing "was about giving everyone a chance for good health."

HUD announced the proposed ban on November 12, 2015, saying it required more than 3,100 public housing agencies (PHAs) across the country to implement smoke-free policies in their developments within 18 months of the final rule.



(L-R) NLIHC Members, Michael Steele (NY), Martha Weatherspoon (TN), Delorise Calhoun (OH), Katrice Cheaton (PA), and Donald Sherman (LA) attend White House Convening on HUD's proposed ban on smoking in Public Housing (January 6, 2016).

The proposed ban would make it illegal to smoke in public housing properties. Violation of the rule could lead to punitive actions, including eviction. Special smoking-zones for residents, located at least 25 feet from the housing and administrative office buildings, could be created.

**"The proposed ban would make it illegal to smoke in public housing properties. Violation of the rule could lead to punitive actions, including eviction."**

While some of the participants agreed that the proposed ban was an admirable effort given the documented dangers of second hand smoke, others expressed serious concerns about how the rule would be implemented.

HUD is in the process of reviewing comments on the proposed rule and conducting a comment analysis. Once this is done, HUD will decide to either move forward with the rule making process or issue a revised proposal.



# NLIHC 2016 POLICY FORUM

## Overcoming Housing Poverty, Achieving Housing Justice

APRIL 3 – 5, 2016  
 WASHINGTON COURT HOTEL • WASHINGTON, DC  
[WWW.NLIHCFORUM.ORG](http://WWW.NLIHCFORUM.ORG)

## Tenant Talk Congratulates Delorise Calhoun

*Tenant Talk* editorial board member Delorise Calhoun was recently recognized by Realistic Approaches to Developing Active Residents (RADAR) for her leadership role as President of the Cincinnati Jurisdictional-Wide Resident Advisory Board (J-RAB). RADAR selected J-RAB as Resident Council of the Year for 2015.



In her work at J-RAB, Delorise has proven herself a passionate leader in the struggle to safeguard public housing. She recently helped organize the first Resident Empowerment Conference in June of this year. During her service over the past decade, she has secured the largest ROSS grant award to an Ohio resident organization in both 2009 and 2015, incorporated the organization as a 501(c)(3), formed alliances with local and national organizations, established a micro-business incubator, and kept the J-RAB offices running at a high level.

Well done, Delorise!

## AFFH

*Continued from page 6*

6. **HUD Must Review AFH.**  
 Unlike the AI, the AFH must be sent to HUD for review. If there are problems with the AFH, HUD will send it back for the problems to be fixed. For example, if you pointed out to HUD that the AFH fails to include obvious fair housing issues or contributing factors, HUD should not automatically accept an AFH. Ultimately, if HUD does not accept an AFH, then a PHA Plan or a ConPlan cannot be approved. Without a HUD-approved ConPlan, local or state governments cannot receive CDBG funds. It is not clear what the consequences will be for a PHA that does not have an accepted AFH.

# Membership Form



## MEMBERSHIP INFORMATION

- Joining NLIHC     Renewal

CATEGORY	Amount (suggested)
<input type="checkbox"/> Individual with low income, or student	\$5.00
<input type="checkbox"/> Individual	\$110.00
<input type="checkbox"/> Resident Association, or student group	\$15.00
<input type="checkbox"/> Organization, <\$250,000 operating budget	\$225.00
<input type="checkbox"/> Organization, \$250K – \$499,999	\$375.00
<input type="checkbox"/> Organization, \$500K – \$999,999	\$550.00
<input type="checkbox"/> Organization, \$1,000,000 – \$2,000,000	\$1,100.00
<input type="checkbox"/> Organization, \$2,000,000 – \$5,000,000	\$2,200.00
<input type="checkbox"/> Organization, > \$5,000,000	\$3,000.00
<input type="checkbox"/> Other Amount	\$ _____

- I would like to contribute to NLIHC's Scholarship Fund to support the participation of low income people. \$ \_\_\_\_\_
- I do not have an email address and want to receive *Memo to Members* by mail.

Organizations may list up to 10 additional people to receive *Memo to Members*. Please fill out the opposite side of this form or include an additional list.

## CONTACT INFORMATION

Mr.     Ms.     Other: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Organization: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_ Cell: \_\_\_\_\_

Email: \_\_\_\_\_ Twitter: @ \_\_\_\_\_

## PAYMENT INFORMATION

Check (please enclose)     Visa     Mastercard    Exp. Date: \_\_\_\_\_

Credit Card Number: \_\_\_\_\_ CVC\*: \_\_\_\_\_

Cardholder Name (printed): \_\_\_\_\_

Cardholder Signature: \_\_\_\_\_

\*Three-digit code on back of card.

NLIHC is a membership organization open to individuals, organizations, corporations, and government agencies. **EVERY MEMBERSHIP MAKES A DIFFERENCE.**

### BENEFITS OF MEMBERSHIP

**Memo to Members:** Receive the nation's most respected housing policy newsletter in your inbox each week.

**Calls To Action:** Members receive email notification of significant policy developments warranting constituent calls or letters to Congress.

**Discounted Conference Fees:** NLIHC hosts an annual policy conference and leadership reception in Washington, DC. The conference brings together advocates, researchers, academics, individuals with low incomes, and government experts to share expertise and insights on the latest federal housing policy initiatives.

**Free or Discounted Publications:** NLIHC produces numerous publications each year, including the *Advocates' Guide* and *Out of Reach*. Telephone resource referrals with linkages to state and regional networks participation in policy-setting decisions of NLIHC

BECOME A MEMBER  
ONLINE AT  
**WWW.NLIHC.ORG/  
MEMBERSHIP**

**Questions?** Call 202-662-1530 or e-mail outreach@nlihc.org

Gifts are tax-exempt under Section 501(c)(3) of the IRS code.

**“LET ME BE CLEAR.  
THERE IS NO SOCIAL OR  
MORAL JUSTIFICATION,  
NO JUSTIFICATION  
WHATSOEVER,  
FOR THE LACK OF  
HOUSING”**

— POPE FRANCIS  
SEPTEMBER 24, 2015



**NATIONAL LOW INCOME  
HOUSING COALITION**

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