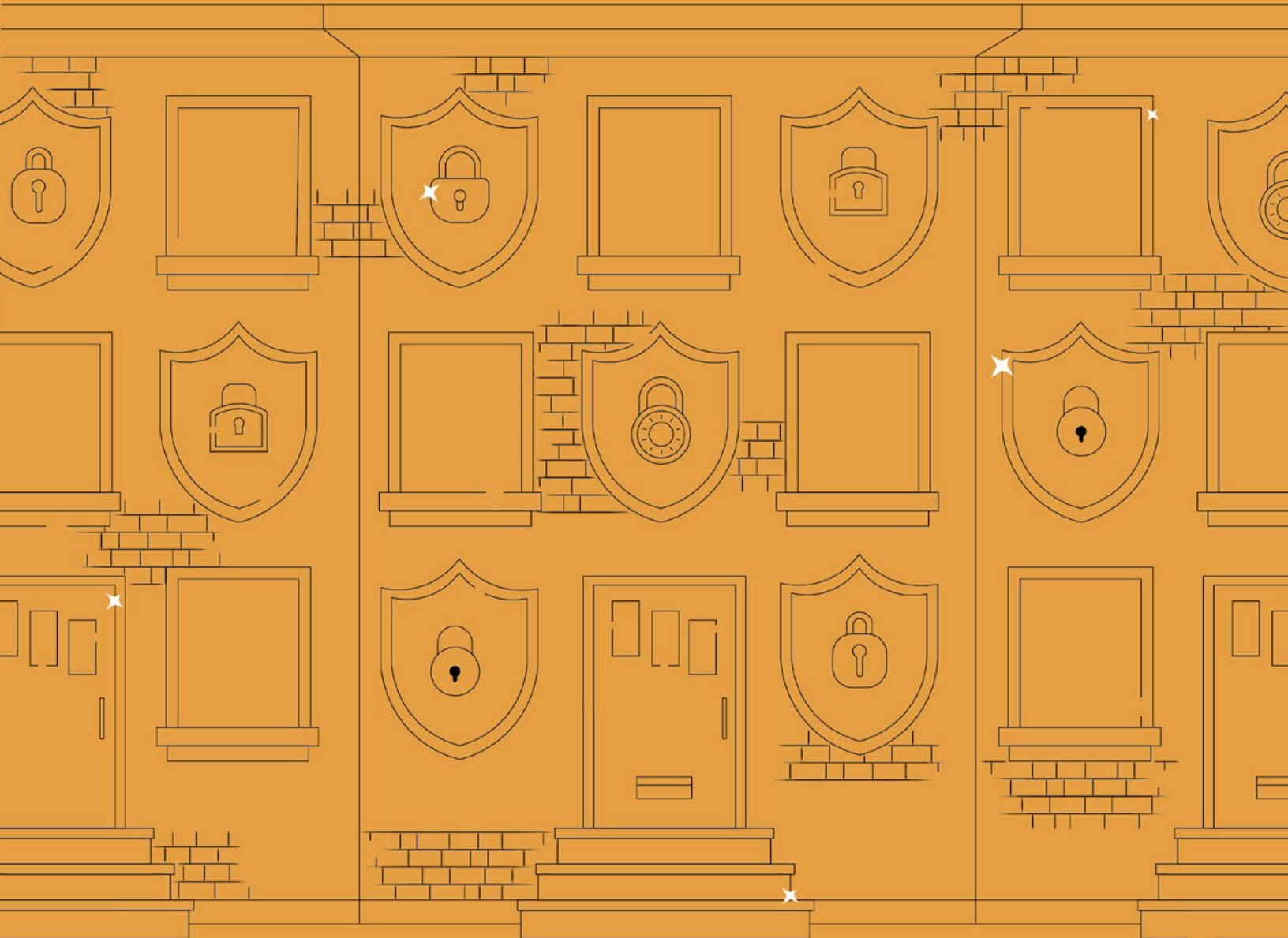


TENANT TALK

WINTER 2023 | VOLUME 14, ISSUE 1



ADVANCING TENANT PROTECTIONS

Building Tenant Power to Achieve Housing Justice

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TENANT TALK

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ABOUT NLIHC

The National Low Income Housing Coalition is dedicated to achieving racially and socially equitable public policy that ensures people with the lowest incomes have quality homes that are accessible and affordable in communities of their choice.

A key part of our work is public education and engagement. NLIHC is committed to sharing resources and tools that help individuals become informed advocates. *Tenant Talk* is one of the many resources we provide to the public.

BECOME A MEMBER

NLIHC relies heavily on the support of our members to fund our work and to guide our policy decisions. Members are our strength! 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 nlihc.org/membership.

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GERALDINE COLLINS



SHALONDA RIVERS



HASSON RASHID



ZELLA KNIGHT



MINDY WOODS



LORRAINE BROWN

DEAR READERS

As a tenant, you may already know that laws and ordinances creating new protections for tenants have increased drastically throughout the U.S. since the onset of the pandemic. To be sure, tenants and advocacy groups were already working to pass protections in their jurisdictions before the pandemic, but the public health emergency increased pressure on many state and local legislatures to strengthen tenant protections. NLIHC has tracked more than [150 protections](#) that have been passed in state and local jurisdictions since January 2021. Tenant organizers and advocates nationwide have played an integral role in the rapid growth of tenants' rights legislation.

History shows that [tenants play an important role](#) in shaping housing policy during times of crisis. Power imbalances have probably always existed between owners of shelter and those who need access to this shelter to survive, but these imbalances changed during the era of rapid industrialization in the nineteenth century, when tenancy became more common in many parts of the U.S. Since then, tenant groups have formed to fight against unjust living conditions, high rents, and evictions – and that's just to name a few concerns! In places with histories of tenant movements, such as New York City, the first tenant-related laws were passed as early as the [1860s](#), and new laws have been fought for by tenant groups ever since. These advocacy efforts have shown time and time again that tenants have the power to push for and enact essential protections, especially during times of crisis. We know tenants like you are eager to continue the struggle for long-term tenant protections, and we hope this issue of *Tenant Talk* will be helpful in that journey.

Members of the Editorial Board have been a part of this work at the national level for years, and most recently through NLIHC's Tenant and Community Leader Cohort. NLIHC created the cohort in early 2022, and it includes members of NLIHC's Board of Directors Resident Caucus and other tenant leaders in NLIHC's network. The first of its kind at NLIHC, the cohort has already been very active. We first met as a group during [a retreat in Albany, Georgia](#). We then went to the White House to meet with senior administrative officials to discuss [federal tenant protections and housing affordability](#). You can learn more about this work from some of the articles included in this issue. The cohort looks forward to working with other tenants in the NLIHC network to ensure that we all have the protections we deserve.

In this edition of *Tenant Talk*, readers will learn about the various tenant protections that have been passed across the country, such as right-to-counsel legislation, anti-rent gouging laws, just cause eviction ordinances, and others. As always, we also include tenant perspectives on these issues, and we are excited to announce that this edition includes articles written by tenants with lived experience as well.

There is more work to do at all levels of government to ensure that tenants' rights are as strong as can be and that every individual has access to an affordable and accessible home. Remember that the power to make change will always lie with tenants. Our goal in this issue of *Tenant Talk* is to provide new information about tenant protections and empower you to advocate for protections in your communities. We hope that you will continue to draw on the articles included in the following pages to aid in your organizing and advocacy for years to come!

In Solidarity,

The Editorial Board

INTRODUCTION

By Brooke Schipporeit, NLIHC

The power imbalance that exists between renters and landlords puts renters at a greater risk of housing instability, harassment, and homelessness. Because racial inequities are rooted in our country's deep history of housing segregation and discrimination, this prominent imbalance not only harms renters generally; it further fuels racial inequities.

Tenant protections are laws at the federal, state, and local levels designed to prevent discrimination against and other unfair treatment of tenants who are trying to find and keep safe, decent, and accessible homes. While tenant protections largely exist as a patchwork of state and local measures around the country, there is a growing appetite in Congress and the present administration to enhance nationwide tenant protections.

This issue of *Tenant Talk* focuses on the following key protections: (1) right to counsel, or a tenant's right to have a lawyer defending them in the eviction process or in other legal proceedings

with a landlord; (2) source-of-income protections, or laws that prohibit discrimination against tenants based on the legal source of income they use to pay rent, such as a housing choice voucher or social security income; (3) rent stabilization, or measures taken to regulate excessive rent increases; (4) "good cause" or "just cause" eviction legislation, or legislation limiting the ability of landlords to evict tenants to a set of specific circumstances; (5) the right to organize, or protections focused on the power of a group of tenants to come together and demand that certain needs or rights are met; and (6) fair housing rights, or rights attached to certain classes of people – defined by race or disability, for example – whose members are protected from discrimination during the housing process based on their membership in the class.

Read on to learn more about tenant protections that have passed in states and local communities and what NLIHC is doing to advance tenant protections at the federal level!

MIAMI TENANTS HELP PASS TENANT BILL OF RIGHTS

Landmark County-Wide Tenant Bill of Rights Will Expand Protections against Displacement and Build Tenant Power

By Vanny Veras, Tenant Organizer, Miami Workers Center

The Miami Tenant Bill of Rights is a set of policies born out of the collective determination of hundreds of renters and families across Miami to stand up and fight back for our homes and our communities. During the height of the COVID-19 pandemic in 2020, members and organizers with the Miami Workers Center knocked on hundreds of doors to connect with tenants facing evictions. In a moment of profound crisis, many large corporate landlords chose to take advantage of vulnerable neighbors. They often harassed families to accept uninhabitable living conditions or leave their homes when millions of workers faced unemployment. After months of holding community meetings and legal clinics and identifying the urgent issues tenants were experiencing, it was clear we needed to fight for more legal protections for renters and accountability for abusive landlords in Miami. We studied the successful model of KC Tenants, a union of renters who fought and won their Tenant Bill of Rights in Kansas City in 2019, and we got to work building our own. We are organizing to make safe and dignified housing a reality for all of us who call Miami home. This campaign was one step in a much longer road and purpose.

Some of the demands that Miami renters agreed on to form the Miami Tenant Bill of Rights included (1) the ability to deduct out-of-pocket expenses from their rent to repair or fix uninhabitable conditions that their landlord refused to fix; (2) that landlords be required to inform tenants of their rights upon initiating a lease agreement; (3) the establishment of a new county office where tenants can seek support against landlord abuses and resources for their housing needs; (4) that renters have more notice if their rent was being raised or leases were poised to be terminated after their building was purchased by another owner; and (5) that tenants not be required to disclose if they have previously been evicted on a rental application.

We pieced together the lived experiences and demands of tenants into legislation that would help protect us and our families. Once we had our demands together, we requested meetings with elected officials who had the power to give us what we wanted. Tenant leaders and organizers from Miami Workers Center met with county commissioners and the county mayor's office, sharing their testimonies and urging for elected officials to do the right thing and support our Tenant Bill of Rights. We held meetings, staged direct action protests to bring attention to our campaign demands, and supported renters organizing in their apartments against abuse and displacement.

"The Tenant Bill of Rights in Miami is important because it makes it clear we as tenants have rights because we fought for them; that we as tenants have the right to defend ourselves; and that abusive landlords will face consequences. We, the tenants, fought for this. Our sweat and our effort is what won this."

**-Ericka Varela, Tenant Leader,
Miami Workers Center**

In May of 2022, we won our campaign. The Tenant Bill of Rights was officially signed into law in Miami Dade County. The struggle for housing to be a human right across Miami continues, but we hope this example will teach renters across the South and beyond that, as Ericka, one of our tenant leaders said, *"All of us together can win."*

THE RIGHT TO COUNSEL FOR TENANTS FACING EVICTION

By John Pollock, National Coalition for a Civil Right to Counsel

Because of shows like *Law and Order*, most people know the warning that “if you cannot afford a lawyer, one will be provided to you.” But they may not realize the warning only applies to criminal cases, due to federal law embedded in the *Constitution* that requires the government to provide free lawyers to low-income defendants. There is no similar federal constitutional right for civil cases, even those cases – like those involving evictions – that impact basic human needs. Instead, states and cities decide whether to extend the right to counsel either through legislation or a court decision relying on the state’s constitution. Until 2017, no jurisdiction provided a right to counsel for tenants facing eviction, leaving most of the tenants involved in the 3.6 million eviction filings filed each year to go it alone.

Evictions devastate individual lives, families, and entire communities. They can lead to homelessness and all its harms – being arrested, increased health problems, losing one’s children

due to having an unstable home, and more. Even when it doesn’t lead to homelessness, an eviction on a tenant’s record can make it almost impossible to find new housing, and if tenants don’t have enough time to find a new place, their belongings may wind up on the street. Additionally, tenants of color, particularly Black women, experience eviction at disproportionate rates. Without a right to counsel, representation in eviction cases is greatly imbalanced: on average, only 3% of tenants are represented nationwide, compared to 81% of landlords.

Decades of research shows that tenants facing eviction who have lawyers are far more likely to remain in their homes. But where such relief is not possible, represented tenants more often avoid evictions on their records, get more time to move, receive reduced or eliminated rent judgments, and avoid forced displacement than tenants without lawyers. The research also shows that the costs associated with evictions, such as the creation



and upkeep of homeless shelters and the provision of emergency medical care, are more expensive for cities and states than the costs of representation. Finally, and perhaps most critically, representation helps build tenant power individually and communally, as it helps tenants see their rights as real and enforceable while also empowering them to exercise those rights with less fear of retaliation by the landlord.

Recognizing all of this, tenants, community organizers, legal services programs, and other advocates across the country began fighting for the right to counsel. The combination of early victories plus a pandemic that put close to 40 million families at risk of eviction further drove the movement. As a result, three states – Connecticut, Maryland, and Washington – and 15 cities – New York City, San Francisco, Newark, Cleveland, Philadelphia, Boulder, Baltimore, Seattle, Louisville, Denver, Toledo, Minneapolis, Kansas City, New Orleans, and Detroit – have enacted a right to counsel for tenants facing eviction in just the last five years. In some places, all tenants are eligible, while other jurisdictions have eligibility requirements, such as income limits or having children.

In New York City, tenants and organizers at Community Action for

Safe Apartments and the Right to Counsel NYC Coalition (RTCNYC) identified right to counsel as an issue that could transform the power dynamic between landlords and tenants. RTCNYC spent four years running a campaign to provide a right to counsel for all families facing eviction with income at 200% or below of the federal poverty level. In 2017, New York City became the first city in the country to provide such a right. Given that hundreds of thousands of evictions are filed in New York City every year – more than anywhere in the country – this was a major victory for tenants.

“RTC signaled a seismic shift of tenant power and rights in and outside the housing court,” explains Susana Blankley, the RTCNYC coordinator. “In buildings and neighborhoods across NYC, tenants have used right to counsel to organize, launch rent strikes, and so much more. Inside the court, tenants show up more to say not only are we going to fight for our homes but we are going to fight to uphold our rights in the court.” Blankley adds that “the national movement that took off after our win is inspiring. Across the country, folks are saying we don’t have to accept evictions as normal, and we can build campaigns to take power back.”

SOURCE-OF-INCOME PROTECTIONS

Courtney Cooperman, NLIHC

Under federal law, landlords are not required to accept Housing Choice Vouchers as a form of payment for rent. The practice of refusing to rent to voucher holders is known as “source-of-income discrimination.” This form of discrimination disproportionately affects renters of color, renters with disabilities, elderly renters, and women. The federal “Fair Housing Act” protects these groups from discrimination based on their identities – but it does not protect them from discrimination based on their source of income. Discrimination against voucher holders perpetuates systemic racism in the housing market and denies renters of color, especially Black renters, equal access to housing opportunities.

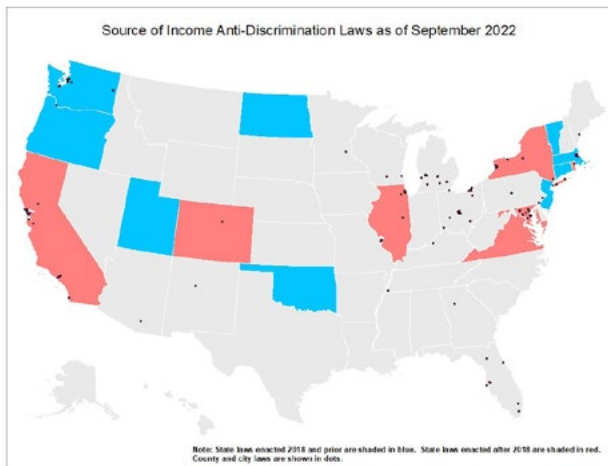


Image courtesy of Brian Knudsen and Philip Tegler, Poverty & Race Research Action Council. Source: [“Expanded protections for families with Housing Choice Vouchers”](#)

Fortunately, dozens of states and municipalities have filled in the gaps in federal fair housing law and established their own protections for voucher holders. [According to the Poverty & Race Research Action Council](#), there are 17 states, 21 counties, and 85 cities that ban source-of-income discrimination as of September 2022. Source-of-income laws gained immense momentum over the past four years: California, Colorado, Illinois, Maryland, New York, Rhode Island, and Virginia all enacted statewide protections for voucher holders between 2019 and 2022. Now, more than 57% of households that use Housing Choice Vouchers live in communities that have banned source-of-income discrimination, compared to just over one-third of voucher holders in 2018. Thanks to the advocacy of tenant leaders and their allies, the list of states and cities with source-of-income protections is growing each year.

These laws have a concrete impact on the lives of tenants and renters. Voucher holders are [more likely to find housing quickly](#) and move to well-resourced neighborhoods where source-of-income discrimination is banned. Despite the proven benefits of these protections, however, many states and cities do not devote adequate funding to enforcement, which makes it unlikely that landlords will face consequences when they break the law. For example, [an investigation by the Asbury Park Press](#) in October 2021 explored the systemic shortcomings in enforcement of New Jersey’s fair housing laws. The system depends on individuals to recognize that they are victims of source-of-income discrimination and submit complaints. Even when individuals formally report discrimination, homes are no longer on the rental market by the time the state responds. Advocates should push for robust testing programs, outreach to tenants and landlords about their rights and obligations under the law, and more proactive enforcement to ensure that source-of-income protections fulfill their greatest potential.

“These laws have a concrete impact on the lives of tenants and renters.”

The expansion of state and local source-of-income protections is an incredible victory for tenants and renters. Still, nearly half of voucher holders live in communities without these protections, and advocates face an uphill battle to enacting them in many states and municipalities. To ensure that all voucher holders are protected from discrimination, no matter where they live, Congress must enact the [“Fair Housing Improvement Act”](#) (S. 4485/H.R. 8213, as introduced in the 117th Congress), a bill that would amend the Fair Housing Act to prevent discrimination based on source of income and military or veteran status. Advocates should harness the momentum of state and local laws to push for these nationwide protections and enable voucher holders across the country to find quality, accessible, affordable homes in communities of their choice.

ANTI-RENT GOUGING LEGISLATION

By Gabrielle Ross, NLIHC

Across the country, people are struggling to make ends meet. People cannot afford necessities such as food, healthcare, and a safe and accessible home without sacrifice. The housing poverty crisis in the United States has been raging for decades, and the COVID-19 pandemic has exacerbated this issue. With temporary protections from the pandemic expiring, renters across the country faced rising inflation, soaring rents, and increasing evictions. Housing unaffordability has been a driving factor of inflation, with rising rents affecting the lowest-income renters the most. [In 2021, the average cost of rent rose 14%](#), and in cities like New York, Austin, and Miami, rent increased over 40%.

Representative Jamal Bowman (D-NY) introduced the "[Emergency Price Stabilization Act](#)" on August 4, 2022. The new legislation aims to expand the White House Supply Chains Disruption Task Force to include a new sub-task force with the ability to monitor and analyze price increases in housing, energy, and other sectors. Congress and the President would have the ability to create important protections needed to increase housing stability for renters as they face unprecedented rent increases. The legislation would grant the administration the authority to proactively investigate corporate exploitation and to design controls and regulations to limit rent and other price gouging. In a statement regarding the new legislation, NLIHC President and CEO Diane Yentel explained that "even before the pandemic, millions of America's lowest-income and most marginalized households were struggling to keep roofs over their heads...Today, these same households are facing new threats with historic levels of inflation and skyrocketing rents. Just as some states have in place laws to prevent price or rent gouging after natural disasters, Congress should consider similar protections like those included in the Emergency Price Stabilization Act for renters..." (At the time of writing, the Emergency Price Stabilization Act had not yet been reintroduced in the 118th Congress.)

Likewise, Representatives Ro Khanna, Katie Porter, and Mark Takano of California introduced the "Stop Wall Street Landlords Act" on November 7, 2022. The legislation aims to address rent gouging by wealthy corporate landlords. As explained in a [press release](#) issued by Representative Khanna, the need for this legislation stems from the increased investor activity in the U.S. housing market, which has led to normalized price gouging, excessive fees, and abusive practices that have combined to drive

up housing prices. Last year, investors purchased almost 25% of single-family homes sold across the country, leading to increased rent prices. (Like the Emergency Price Stabilization Act, the Stop Wall Street Landlords Act had not yet been reintroduced in the 118th Congress at the time of writing.)

In 2021, the average cost of rent rose 14%, and in cities like New York, Austin, and Miami, rent increased over 40%.

On November 9, 2022, the City of Kingston Rent Guidelines Board [voted for a 15% rent reduction](#) on all newly rent stabilized properties in the New York town. The reduction applies to renters who sign one- or two-year leases between August 1, 2022, and September 30, 2023, and is unique in the State of New York, as no other locality has passed a similar rent reduction since the "Emergency Tenant Protections Act" was passed in 1974. The ruling, however, [was challenged](#) in the Ulster County Supreme Court after a group of landlords known as Hudson Valley Property Owners Associated sued the city, claiming the basis of the rent reduction was not valid. Ultimately, a judge ruled that Kingston's stabilized properties cannot proceed with the 15% rent reduction. A lawsuit attempting to eliminate rent stabilization is still pending. Although the measure has been challenged, the success of the vote by the Rent Guidelines Board shows the power of tenants and state and local organizations to create real change in their communities. Aaron Narraph Fernando, communications lead at the New York organization [For the Many](#), called the victory "monumental...not just for Kingston tenants, but for tenants across New York."



JUST CAUSE EVICTION LAWS


By Lindsay Duvall and David Foster, NLIHC

Eviction can be a traumatic experience. Individuals and families face an uphill battle when recovering from the aftermath of an eviction, either from the physical loss of their home, the financial strain of finding comparably priced housing, or the emotional and psychological harm that comes from being forced out of a home. In many states and jurisdictions, landlords do not have to justify their decision to evict someone. Having comprehensive good or just cause eviction legislation in place can help ensure tenants are not evicted at no fault of their own.

“Just cause” – also known as “good cause” or “for cause” – eviction laws protect tenants from eviction or a landlord’s refusal to renew their lease when the tenant has not violated their lease or the law. While there are no federal just cause eviction laws, some states and localities have passed laws to protect renters at risk of housing instability. The specific protections vary from place to place, but each law defines the legal causes for which a landlord can evict a tenant or refuse to renew their lease. Common just causes for eviction or lease non-renewal include failure to pay rent, property damage,

disturbance or disorderly conduct, other lease violations, criminal activity in a unit, and the intent on the part of the landlord to sell, repair, or move into the unit. Just cause eviction laws may also place limits on rent increases and enhance the written notice requirements for an eviction. If a tenant covered by a just cause law receives an eviction notice without just cause, they can challenge the eviction in court.

The end of a lease term is a particularly vulnerable time for low-income tenants. Just cause eviction laws benefit these tenants by:

- Protecting renters from evictions for no fault of their own.
 - Delivering a sense of stability to tenants.
 - Discouraging renters from self-evicting when they receive eviction notices from landlords.
 - Empowering tenants experiencing poor living conditions, discrimination, or other illegal landlord behavior to advocate for improvements with landlords or file complaints without fear of retaliation.
- 

• In some cases, protecting tenants from unreasonable rent increases.

[New Jersey](#), [California](#), [New Hampshire](#), [Oregon](#), and [Washington](#) have all passed their own versions of a statewide just cause eviction law, and other laws have been introduced, but not yet passed, in [Maryland](#), [New York](#), and [Connecticut](#). Under California's law, the landlord in a 'no-fault' eviction – such as an eviction that occurs when the landlord decides to renovate or occupy the unit – must assist the evicted tenant in relocating by providing direct payment of one month's rent or providing a written waiver for the last month's rent. Oregon's law limits the amount of annual rent increases for buildings more than 15 years old to 7% plus the rate of inflation. Washington's law requires landlords to give 60-day written notice for an eviction, granting tenants more time to fight unlawful evictions in court or to find new housing.

In many of these states, just cause laws were passed at a local level first, which helped set the path for statewide reform. Local just cause laws have also passed in other parts of the country, including [Albany](#), [Beacon](#), [Kingston](#), [Newburgh](#), and [Poughkeepsie](#), New York; [Baltimore](#), Maryland; and [St. Paul](#), Minnesota. Local governments have the opportunity to build buy-in from the public and with their state legislatures by passing local laws and then collecting eviction data to demonstrate the impact of the law to other policymakers. [For the Many](#), a tenant organizing group that helped pass four good cause eviction laws in New York State, offers this advice for other tenants seeking to pass local laws:

"First, identify legal experts who can help you craft the best template legislation, and then work with one or two elected leaders in your city to introduce and champion the bill. At the same time, it's crucial that you begin reaching out to tenants in your community and educating them on how the legislation would impact their lives. You should also build a broad coalition by bringing partner organizations together behind your campaign, promoting your work on social media and the press, and above all, organizing folks to attend community meetings, city council meetings, and to make calls to their elected officials. These victories were hard fought – our opposition has a lot of resources – but we were able to overcome them, which is a testament to tenant power. When we organize together, we win."

These protections help address the power imbalance between a landlord and tenant by giving low-income tenants the agency to keep their housing and advocate for themselves without fear of retaliation. With the shortage of affordable housing, it is important to ensure that the most vulnerable of renters are supported with legislation that protects them from unjust evictions. Just cause eviction legislation is an important step toward ensuring a more equitable relationship between landlords and tenants.

You can learn more about just cause eviction laws in NLIHC's May 2022 brief, [Promoting Housing Stability through Just Cause Eviction Legislation](#), which is accessible at: bit.ly/3XPceOi.

KNOW YOUR RIGHTS AS A RESIDENT

By Sid Betancourt, NLIHC

PUBLIC HOUSING

According to federal regulation [24 CFR 964](#), usually referred to as “Section 964,” public housing residents have the right to organize and elect a resident council. [A resident council is composed of a group of public housing residents representing their interests and the properties they live in.](#) The “Section 964” regulation provides residents with the right to provide advice to their public housing agency (PHA) on processes like maintenance, modernization, security, resident screening and selection, and recreation. Resident councils should not be confused with Resident Advisory Boards (RABs), whose work is limited to developing a PHA’s plan.



Each year, [PHAs are required](#) to provide \$25 per occupied unit using the PHA’s Operating Fund Grant. From this amount, at least \$15 must be provided to resident councils to fund “tenant participation” (TP) activities (e.g. training and organizing) and \$10 can be kept by the PHA to pay for other resident participation activities. (See the “TP Notice” [PIH 2013-21](#).)

Section 964 also requires that almost every PHA have at least one resident commissioner on its governing board who is a public housing or voucher resident.

MULTIFAMILY HUD SUBSIDIZED HOUSING

Participation rights for residents in privately owned, multifamily HUD subsidized housing can be found in the regulation [24 CFR 245](#), often referred to as “Section 245.” Like public housing residents, multifamily housing residents can create and operate a tenant organization to address concerns in their building and any other activities, such as distributing leaflets, contacting residents door-to-door, and responding to an owner’s request to make changes such as increase rents or convert units to non-residential uses. However, Section 245 does not require a specific structure, written by-laws, or elections. [To be recognized by HUD](#), a tenant organization must be created by tenants in a multifamily housing project, and the resident organization must meet regularly, operate democratically, represent all the residents in the development, and be completely independent of all owners and managers of the building.

According to HUD, tenants can participate in protected activities, which can be found in the Resident Rights and Responsibilities brochure. You can find a digital copy of the brochure at https://www.hud.gov/sites/documents/DOC_12162.PDF. Owners and management agents are also required to provide the head of household with a copy of this brochure at move-in or at recertification. To see if HUD has the brochure available in your language, you can call 1-800-685-8470 or visit <http://www.hud.gov/offices/fheo/lep.xml>

FINDING YOUR STATE TENANT AND LANDLORD LAWS

Not all tenants are federally subsidized, but you still have rights that vary from state to state. To fully understand your rights, you can learn more about your state’s tenant protections. If you visit <https://www.hud.gov/states> and click on your respective state, you can scroll down and locate a link that says “Get Rental Help.” After clicking this link, you will find a lot of useful information, including a link titled “Local tenant rights, laws, and protections.” Here you can locate any tenant rights that are specific to your state.

FIGHTING FOR FAIR HOUSING IN LOUISIANA

By Monique Blossom, Policy Analyst, Louisiana Fair Housing Action Center

Advocates across Louisiana have been working for a decade to create a more inclusive process for individuals involved in the criminal legal system who are applying for housing.

The “Fair Housing Act” does not explicitly address people with criminal records, but as [2016 HUD guidance](#) clearly states, some criminal background screening practices create a “discriminatory effect,” while others may result in “disparate treatment,” specifically for Black and Latino renters. The Louisiana Fair Housing Action Center (LaFHAC) partnered with national groups urging HUD to issue this guidance, and it has been the touchstone in all our local and state advocacy around this issue ever since.

The United States has the largest prison population in the world by far, leaving [nearly one-third](#) of the nation’s entire population with some sort of criminal background. Black and Latino people are more likely to be arrested, convicted, and incarcerated, making criminal records-based barriers to housing more likely to have a disproportionate impact on Black and Brown renters.

In Louisiana, [49% of adults](#) have a criminal record. Fair housing protections are extremely important if almost half of the state’s adult population might be denied affordable housing opportunities, especially given that records can be decades old.

In 2013, the Housing Authority of New Orleans (HANO) recognized a need to change its criminal background screening policies because Black men were disproportionately affected by total bans from housing assistance. LaFHAC joined criminal justice reform organizations like the Vera Institute of Justice, Voice of the Experienced, Stand with Dignity, and many others to advocate for HANO to make sweeping changes to its background screening process. As a result of this advocacy, HANO established a [new policy in 2016](#) that does not consider low-level offenses and creates a process where people with convictions are reviewed on an individual basis. HANO was one of the first public housing authorities to take such a step, and the policy has been wildly successful since its initial implementation: denials of housing have been reduced to just a handful of applicants in the past six years. Following this win, advocates were also successful in convincing the City of New Orleans in 2022 to require any affordable housing developer it works with to implement a similar policy.

At the state level, advocates and people with criminal records succeeded in pushing the Louisiana Housing Corporation (LHC) to pass [an inclusive criminal background screening policy in 2021](#). The LHC is the state’s housing finance agency, and its new policy passed without opposition. The protection applies to roughly 60,000 affordable homes across Louisiana, as well as new units moving forward.

Advocates in Louisiana continue to push for greater protections across the state for all properties. State Representative Matthew Willard filed a bill to create the “Fair Chance in Housing Act” in the spring of 2022. The legislation would have extended protections like those included in the LHC policy to applicants for market-rate rentals. After opposition from landlord lobbyists, the bill was amended to require only that housing providers notify applicants that they could provide additional context or mitigating circumstances about a criminal record with their application. In the state Senate committee where the bill eventually died, Representative Willard explained that “a lot of the housing application forms essentially screened formerly incarcerated people out of the housing process. And what that does, really, is it exacerbates our homeless population.”



Advocates celebrate after the Louisiana Housing Corporation's unanimous passage of its inclusive criminal background screening policy in 2021.

The Louisiana Fair Housing Action Center continues to partner with StepUp Louisiana and other partners to push for passage of this bill to ensure that criminal backgrounds are not barriers to safe housing and that those returning home from incarceration receive equal opportunity to secure housing and rebuild their lives.

FAIR HOUSING FOR PEOPLE WITH COMMUNICATIONS DISABILITIES

By Laura Ramos, NLIHC Tenant Leader Cohort and President of E.A.C.H. Rolls, Inc.

Most people with disabilities have heard of accessibility rights for those who need wheelchair accessible housing or for those with service or emotional support animals. However, many people have never heard of “Effective Communications” as a reasonable accommodation for equal access to services. “Effective Communications” are for those who have difficulty hearing, speaking, reading, writing, or with cognition. Every government agency at all levels, all for- and non-profit organizations, and any entity that provides services or commerce to the public must provide equal access to their programs under the “Americans with Disabilities Act.” All entities that receive federal funding must provide equal access under [Section 504 of the “Rehabilitation Act”](#) as well, while [Section 508](#) covers equal access to websites and other digital formats.

A person with vision and reading disabilities or who is blind may ask for a reasonable accommodation to receive materials in alternative formats, such as in large print, in an accessible digital document, in Braille, on a screen-reader accessible website, on tape, or even via a trained reader who can read documents to them. They may request more than one format at the same time if they need this. In the context of Fair Housing, whether you submit a complaint through the Department of Housing and Urban Development’s Fair Housing and Equal Opportunity (HUD FHEO) Regional Offices or online, you can ask for the complaint forms, fair housing and civil rights information, and any other documents in the alternative format that you need. If you are unable to fill out a form, then intake workers at HUD FHEO must assist you in filling out the complaint form.

A person who has hearing difficulties or who is deaf may ask for communications via TTY (teletypewriter), CaptionCall telephone, virtual sign language interpreting, in-person sign language interpreting, or Communication Access Realtime Translation (CART). CART provides more accurate captioned translations of verbal proceedings or meetings than the automated or computer-generated captioning on Zoom or other

platforms. I was once in a meeting on Zoom where the computer-generated captioning kept saying one person’s name was “F__k.” This was very awkward for all at the meeting.

There are fewer alternative forms of communication for those with speaking disabilities. Often, caseworkers will try to ask questions and get answers by writing them down. However, there are people with disabilities who not only have difficulty speaking but with physically using a writing implement or a computer for typing. Regardless of what the communications disabilities are, an agency is required to provide equal access to their services and to the Fair Housing complaint process. If a person with disabilities needs a reasonable accommodation and communications in another language, then the agency must provide both the alternative format documents or communications and the other language to allow equal access to their programs.

If you are told that “we don’t have to” provide large print documents, texts in Braille or sign language, or information via other forms of communications assistance that you require to access housing, it’s likely this person does not know their responsibilities under these laws and regulations. First, let them know what Effective Communications reasonable accommodation you need, and supplement the request with a letter from your physician or other provider. If they deny your reasonable accommodation request, then you should consider filing a complaint. The following links provide more information on the Effective Communications rights of people with communications disabilities:

<https://www.ada.gov/resources/effective-communication>

https://www.hud.gov/program_offices/fair_housing_equal_opp/effective_communication

Remember, I am not an attorney, nor is this legal advice. However, it is educational information coming from a person with lived experience that I hope will help others with disabilities and the frail elderly.

WHAT FEDERAL TENANT PROTECTIONS DO YOU NEED?

NLIHC Invites Readers to Complete a Short Survey about Necessary Federal Tenant Protections

NLIHC has always called for greater tenant protections on a national scale, such as source-of-income protections, right to counsel, and the expansion, strengthening, and enforcement of the “Fair Housing Act.” See the HoUsed campaign’s [full list of needed tenant protections](#). Now, as members of Congress and the present administration express an increased interest in this work, NLIHC is building out our asks in a more robust and meaningful way, and we need your input!

We invite you to complete a short survey concerning what tenant protections you would like to see at the federal level. Use your smartphone to scan the QR code below or type the web address into your browser to access the input form. You can also email outreach@nlihc.org for other ways to make your voice heard.

Thank you!



<https://www.surveymonkey.com/r/D6WWMJW>

RESIDENT PERSPECTIVE

ADVOCATING FOR TENANT PROTECTIONS IN WASHINGTON STATE

Interview with Mindy Woods, Resident Action Project

TELL US A LITTLE BIT ABOUT YOURSELF AND WHAT BROUGHT YOU TO HOUSING WORK.

I am a Desert Storm veteran and single mother. Eleven years ago, our apartment was slowly being taken over by black mold. My son ended up in the hospital with mold growing in his esophagus, and he also has type 1 diabetes, which made things more complicated. A regional HUD attorney told me not to pay rent and sent a mold mediation letter. The manager instead tried to evict me. We instead negotiated so that I wouldn't have to pay back rent but would have to leave the apartment in five days. Looking back, I now understand that I was being bullied out.

My son and I couch surfed for 10 months and then fully entered homelessness. We finally got into the only shelter for women with children in my area after four months of waiting. Shortly after, an organization let us know about a bill in our state legislature that would have ended 70% of funding for shelters in our state. They

asked if anyone wanted to tell their story, and I signed up right away.

Three and a half years later, we became homeless again. We had a discriminatory landlord who wouldn't renew our lease, and I couldn't find another building that would take my voucher. I had to make the gut-wrenching decision to place my son with another family so he could have stability his senior year of high school, and I couch surfed for another eight months. This experience made me passionate about advocating for source-of-income protections.

AND NOW WASHINGTON STATE HAS SOURCE-OF-INCOME PROTECTIONS, RIGHT?

Yes! After four years of testifying on source-of-income protections, I met with a senator that was voting against it. I met with this legislator for two and a half hours to educate them on why this was so important. After that, the legislator flipped their vote and told my story on the Senate floor.

HOW DID YOU GET INVOLVED WITH NLIHC AND THE WASHINGTON STATE RESIDENT ACTION PROJECT?

The first time I testified, in January 2012, the Washington Low Income Housing Alliance (WLIHA) policy director approached me and invited me to join their emerging advocates program with other residents who had been testifying and advocating, which I did. Then, in 2015, Community Change and WLIHA together developed the Resident Action Project (RAP) to further advance resident-led advocacy and use our voices collectively to create policy changes. Through this group, we were able to pass source-of-income protections and got funding for Washington's Housing Trust Fund.

TELL US MORE ABOUT THE RIGHT-TO-COUNSEL ADVOCACY YOU DID WITH RAP.

WLIHA and RAP focused heavily on right-to-counsel (RTC) advocacy during the COVID-19 pandemic. We relied heavily on our partner organizations and put out many calls to action, emphasizing that this is the time to capitalize on renter protections. It took three years to get RTC through the state legislature, 2022 being the final stretch. The session was virtual, so we called on people from all corners of the state. We had people testify, write in, and share their stories in Twitter storms and town halls, using social media to our advantage! Our housing justice partners engaged in this work with us to demonstrate the importance of keeping people in place and working

with landlords before evictions are made and the long-lasting impacts occur. The state's eviction moratorium allowed a full year of no evictions being filed, giving us time to create and fully fund RTC.

WHAT DOES THE RIGHT TO COUNSEL MEAN TO YOU?

It means everything to me! It was the very thing that wasn't in existence that would have prevented me from falling into homelessness the first time. It was intimidating to not have legal representation walking into court, knowing I and probably thousands of others were being bullied. We estimate that around 60% of evictions in Washington will be prevented with proper representation.

WHAT IS ONE THING YOU TOOK AWAY FROM THIS EXPERIENCE AS AN ADVOCATE?

Those closest to the problem are closest to the solution but often farthest from resources, influences, and power. Our personal stories have the power to impact change. Without our voices, policies are made about us without us. This is why we do what we do, and this is the power of our experiences being uplifted.

To learn more about the Resident Action Project, you can visit the project's website at:

<https://residentactionproject.org/>

NLIHC'S TENANT LEADER COHORT VISITS THE WHITE HOUSE

By David Foster, NLIHC

Members of NLIHC's Tenant Leader Cohort – alongside other people with lived expertise, legal aid providers, advocates, and researchers – attended a meeting focused on tenant protections at the White House on November 14, 2022. The Cohort and NLIHC's President and CEO Diane Yentel had the opportunity to share feedback with the Biden-Harris administration on how to develop effective policies that protect tenants and support housing equity.



Rachel Johnson, member of NLIHC's Tenant Leader Cohort, meeting with White House officials during a session on tenant protections

Centering the perspectives of tenants with lived experience is essential when developing policies that impact them. When tenant protections are not legislated or enforced, low-income tenants are most in danger of being evicted and losing their homes. Comprehensive and supportive

tenant protections help mitigate the power imbalance that exists between landlords and tenants and ensure that tenants can advocate for themselves and their interests without fear of retaliation.

Rachel Johnson was one of the tenant leaders who participated in the White House meeting. She is a proud mother and grandmother and has been very active as a housing organizer. Rachel grew into her role as a housing advocate after being forced to stand up not just for others but for herself. "My mother, Carolyn Homer, was my first teacher to organizing. She is a retired City of Ft. Lauderdale Police and Community Service Aide that organized in low-income housing communities around crime prevention, and I tagged along and learned a lot about organizing. Later in life, I got a Section 8 voucher. When I lost the voucher, I fought to get it back several times and realized my rights were being violated. I started helping others in low-income neighborhoods maneuver through their housing struggles. I started a nonprofit called Grassroots Solutions. There were so many challenges, so I became a VISTA Volunteer after college to figure out what area of work I should do. Trying to take a break and seeing I could not shake this housing work... [as an] AmeriCorps VISTA Volunteer of Legal Aid Services... [is] why I do this housing work. I feel it is my God-given purpose to help others prevent displacement, homelessness, and create opportunities to self-sufficiency."

With her extensive background as a tenant and advocate, Rachel's presence at the White House meeting provided policy advisors an opportunity to better understand what can happen when



Members of NLIHC's Tenant Leader Cohort and NLIHC President and CEO Diane Yentel standing in front of the White House

tenants lack protections needed to support their journey to housing stability. The meeting served as a reminder to Rachel that there is still education that needs to take place. When reflecting on her trip to the White House, Rachel said, "Not everyone in the room knows housing. Even though they were there to listen to the people living with these housing issues and decisions being made, it was important that I spoke on topics important to the people. I learned to understand not every decision-maker that is in the room knows housing."

★ Geraldine Collins, executive director of the National Alliance of HUD Tenants and a board member of NLIHC, is another Tenant Leader Cohort member who attended the White House meeting. Geraldine, who proudly claims great-grandmother status, worked with the Harlem Urban Development Corporation and Columbia University prior to her retirement. Geraldine's visit to the White House was not her first. "I went to the White House for the first time during the confirmation hearing for a past HUD Secretary, Julian Castro. My recent trip to the White House

was quite interesting because I got to speak about tenant protections and why they are so crucially needed. Tenants all over the United States are being affected by not having enough protections in place."

The White House meeting was an important first step in what will hopefully result in nationwide comprehensive tenant protections. Geraldine reflects on the importance of follow-through, stating, "Next time, I hope that HUD will have some type of resolution instead of visiting the same problems over and over... HUD needs to have tenants in these conversations when they're coming up with new policies and even with changes in old policies. We can be their eyes and ears because we live in these properties. We could help with solving a lot of these ongoing problems if we were only at the table."



Geraldine Collins, member of NLIHC's Tenant Leader Cohort, sits on a panel about tenant protections at the White House.

To learn more about the White House meeting on Tenant Protections and Housing Affordability, read the Tenant Leader Cohort's summary [here](#).



NLIHC'S WORK



PROMOTING



TENANT
PROTECTIONS



By **Tori Bourret, NLIHC**

NLIHC has long tracked and advocated for policies that promote the housing stability of renters and protect them from evictions, including – in recent years – the “[Eviction Crisis Act](#),” the “[Ending Homelessness Act](#),” the “[Tenant Empowerment Act](#),” and tenant protections at the state and local levels.

The Ending Rental Arrears to Stop Evictions (ERASE) project’s [State and Local Tenant Protections Database](#) provides information about tenant protections passed or implemented since January 2021. The database features more than 150 state and local protections that strengthen tenants’ rights and promote housing stability, including (1) state and local eviction moratoriums; (2) pauses on the eviction process to allow for ERA processing; (3) mandates that require landlords to apply for or share information on ERA before filing an eviction and that limit tenant fees; (4) expansions of tenant representation during the eviction process; and (5) protections that reduce discrimination and enable tenants to remain stably housed. For each protection, the database includes information about where and how the protection came to be, its status, and a brief description of its aims and structure, as well as links to more resources on short- and long-term tenant protections.

In addition to tracking tenant protections, NLIHC advocated for a number of policies. The Eviction Crisis Act (S. 2182), introduced in the U.S. Senate by Senators Michael Bennet (D-CO) and Rob Portman (R-OH), and the “Stable Families Act” (H.R.8327), the House companion bill introduced in the U.S. House of Representatives by Representative Ritchie Torres (D-NY) during the 117th Congress, would create a permanent program to give extremely low-income renters emergency rental assistance to stay housed in the event of a short-term crisis. The Fund would be a grant program administered by HUD and funded at \$3 billion per year. Eligible grantees would include state, local, tribal, and territorial governments, which would partner with local nonprofit organizations to distribute funds. Other sections of the Eviction Crisis Act would authorize grants to support landlord-tenant community courts, which offer mediation services to avoid the high cost of eviction, and create a national database to track formal and informal evictions, which would enable advocates and lawmakers to better understand the problem and craft solutions.

The Ending Homelessness Act (H.R. 4496), introduced in the House by Representatives Maxine Waters (D-CA), Emanuel Cleaver (D-MO), and Ritchie Torres

(D-NY) during the 117th Congress, would create a universal rental assistance program to serve every eligible household, phased in over ten years. The legislation includes \$10.5 billion to build homes affordable to people with the lowest incomes. The money would go to the national Housing Trust Fund and McKinney-Vento Homeless Assistance Grants. The legislation would also ban source-of-income discrimination, meaning landlords would not be able to deny housing to renters based on how they pay for rent, and would include other critical measures to end homelessness.



The Tenant Empowerment Act of 2021 (H.R. 4237), introduced in the House by Representatives Ayanna Pressley (D-MA), Maxine Waters (D-CA), and Rashida Tlaib (D-MI) during the 117th Congress, would strengthen HUD tenant protections and provide tenants with the tools necessary to improve the quality of their homes. The legislation would enable tenants living in project-based housing to hold owners accountable for violations of housing standards; increase renters’ access to certain building information; fund tenant participation services; extend right-to-organize protections to tenants in Project-Based Voucher buildings; establish a national repair and deduct policy for Housing Choice Voucher holders; allow tenants to participate in certain portions of HUD’s physical inspection and management review process; and create measures to ensure tenants’ rental assistance payments are uninterrupted in the case of foreclosure.

POLICY UPDATE

By Kim Johnson, NLIHC

Note: Given the fast-changing nature of the legislative process, some information in this article may be outdated by the time of publication.

APPROPRIATIONS

The annual appropriations process is a task that Congress must complete each year to ensure the federal government and all its vital programs – including affordable housing and homelessness programs – continue to operate. Congress is tasked with enacting a new budget by October 1, which marks the beginning of the new federal fiscal year, but it rarely meets this deadline. Instead, Congress typically enacts a short-term continuing resolution (CR), which briefly extends funding for the federal government at its current level, granting Congress more time to finalize its spending bill for the new fiscal year.

After enacting a series of short-term CRs, Congress passed a final fiscal year (FY) 2023 budget on December 23, 2022. The final bill included significant funding for HUD's housing and homelessness programs, providing HUD with \$61.8 billion, an increase of \$8.1 billion over the previous year. Enough funding is provided in the final bill to renew all existing Housing Choice Voucher (HCV) contracts and Project-Based Rental Assistance (PBRA) contracts and to expand HCV assistance to an additional 12,000 households targeted to individuals and families at risk of or experiencing homelessness. The bill also increased funding for homelessness assistance, Public Housing, Native American housing block grants, and Section 202 Housing for the Elderly and Section 811 Housing for Persons with Disabilities, among other programs. See NLIHC's [full analysis](#) and our updated [budget chart](#) for more details.

While the final spending bill provides much-needed increases for vital HUD programs, far more resources are needed to address the nation's growing affordable housing and homelessness crisis.

TAX EXTENDERS

Congress aimed to enact a tax extenders package by the end of 2022 but did not manage to do so. Congress regularly extends expiring tax provisions that are only authorized for a set number of years, and the 2022 tax extenders package presented the opportunity to expand and reform the Low-Income Housing Tax Credit (LIHTC) so that it better serves extremely low-income (ELI) households and people experiencing homelessness.

LIHTC is the primary source of financing for the construction and preservation of affordable housing. While an important resource, LIHTC on its own is generally insufficient to support the construction and preservation of homes affordable to households with the lowest incomes. NLIHC will continue to urge Congress to expand LIHTC and [include needed reforms](#) in any tax extenders package that would:

- Incentivize developers to set aside at least 20% of units in a development for extremely low-income households and people experiencing homelessness.
- Set aside 8% of tax credits to help offset the cost to build developments where at least 20% of units are reserved for households with extremely low incomes or those experiencing homelessness.
- Incentivize the development of affordable housing in rural and tribal areas, which have some of the most pressing affordable housing needs in the nation.

LOOKING FORWARD TO THE NEW CONGRESS IN 2023

Republicans will have a narrow majority in the House, and Democrats will maintain control of the Senate with a slim majority of 51 members. The race for one of Georgia's Senate seats was decided after an early December runoff election in which incumbent Democratic Senator Reverend Raphael Warnock defeated Republican candidate Herschel Walker.

Working with a divided government (with a Republican-controlled House and Democratic-controlled Senate) during the 118th Congress in 2023 and 2024 will require a strong focus on moving bipartisan legislation forward. It is extremely unlikely that there will be opportunities to move priorities through legislative maneuvers like reconciliation, which allows legislation to pass the Senate with a simple majority of 51 votes, rather than the 60 votes typically required in the chamber.

As the 118th Congress begins its work, NLIHC will continue to pursue administrative and legislative priorities to serve extremely low-income households by building bipartisan support for critical investments in affordable housing and homelessness programs around the country.

RESEARCH UPDATE

By Andrew Aurand, NLIHC

SERVING NATIVE AMERICAN HOUSEHOLDS USING ERA: LEARNING FROM HIGH-SPENDING PROGRAMS

Continuing our research on emergency rental assistance (ERA), NLIHC released a second [research brief](#) about Indigenous tribes' ERA programs. Multiple factors made it difficult for tribes to quickly get assistance to those in need, including limited rental housing on native lands, the lack of timely federal guidance and technical assistance, and a short spending deadline. Nonetheless, many tribes successfully distributed significant levels of assistance. Published in the fall of 2022, the research brief examines some of the reasons for their success, including administrators' efforts to temporarily address overcrowding by covering a combination of relocation expenses, security deposits, and three months of future rent; collaboration with local hotels and motels to temporarily house people experiencing homelessness or overcrowded living situations; and the extension of assistance to households living outside of reservations. In addition, programs relied on external partnerships to raise awareness about available resources, while also reducing documentation requirements, making it easier for renters to apply for assistance.

IMPROVING LOW-INCOME HOUSING TAX CREDIT DATA FOR PRESERVATION

Affordable rental properties supported by the Low-Income Housing Tax Credit (LIHTC) have income-eligibility and rent restrictions that typically last for 30 years (or longer, in some states). In some cases where a property owner wants to sell, the restriction period may be only 15 years. Released during the fall of 2022, this [report](#) shows the need for improvements in the quality and accessibility of property-level LIHTC data so that affordable housing stakeholders can better identify specific properties that are aging out of their affordability restrictions and better target efforts to preserve affordable housing and protect tenants. NLIHC's research team is now working to interview tenants who live in LIHTC properties that are losing their affordability restrictions.

Please contact research@nlihc.org if you or someone you know resides in a LIHTC property that is at risk of becoming unaffordable due to the expiration of rent restrictions.

“REFRESH, RELEASE, AND REFOCUS”

NLIHC's Inaugural Tenant and Community Leader Retreat Lives Up to Its Theme

By Renee Willis, NLIHC

It was harvest time at the Resora in Albany, Georgia. The main house sat prominently on 1,638 acres and featured a large, stately porch overlooking the rolling fields. This property was once known as Cypress Pond Plantation. Today, it serves as a space for reflection and healing – a place to “refresh, release, and refocus.”

This was the setting of NLIHC's first Tenant and Community Leader Retreat, held on October 7-10. If this land could talk, one could only imagine the stories it would tell. Yet it was here – in a space reimagined for good – where 15 community leaders gathered to develop solutions to advance housing equity. Together, the members of this cohort helped build out NLIHC's policy agenda on tenant protections, shape the Tenant Session of the 2023 Housing Policy Forum, and co-create a leadership program for future NLIHC cohorts. In doing this work, they were also creating a new narrative about the transformative and restorative power of this land.

THE LAND



The Resora was once owned by one of the largest slaveholders in Georgia. In 1999, the Cypress Pond Plantation was purchased by New Communities, Inc., an organization owned by Charles and Shirley Sherrod and widely recognized for creating the first community land trust in the U.S.

New Communities was established in 1969 by several Black leaders and activists in southwest Georgia as a visionary cooperative to support Black farmers and their families. During the 1970s and early 1980s, New Communities owned and operated [5,735 acres in Lee County, Georgia](#). It was the largest tract of land in the U.S. owned by Black farmers. Between 1981

and 1982, the region where the land was located experienced severe drought. To save their farms, many of the region's white farmers applied for and received federal funds through the U.S. Department of Agriculture (USDA). New Communities applied for but was denied federal funds. As a result of such racist lending practices, New Communities lost all 5,735 acres of land to foreclosure in 1985. Despite this tragedy, the organization did not dissolve. New Communities took legal action and became a lead plaintiff in a class action lawsuit against the USDA ([Pigford v. Glickman](#)). The plaintiffs asserted that the USDA had systematically discriminated against Black farmers based on race and settled in 1999. Restitution came in 2009, when New Communities was awarded \$12 million of a \$375 million settlement awarded to Black farmers. New Communities used some of the proceeds to purchase the land that became the Resora.

THE COHORT

NLIHC's Tenant and Community Leader Cohort is composed of people with lived experience of housing insecurity and homelessness. Members of this cohort have become leading voices and advocates in their communities in the fight for housing justice. The 2022-2023 NLIHC Tenant and Community Leader Cohort included 15 members from 12 different states.

THE EXPERIENCE

“Refresh, Release, and Refocus,” a phrase coined by cohort member Ms. Zella Knight, was the retreat's theme. The hybrid format aimed to introduce or reconnect tenant leaders to each other and provide a forum for discussion about developments in their communities, as well as a space to help shape the tenant session of NLIHC's annual policy forum and build out NLIHC's policy agenda regarding tenant protections for subsidized and unsubsidized tenants.

To ensure the group had sufficient tools to tackle its goals, NLIHC brought in several consultants to facilitate conversation and provide training on racial trauma and healing. To facilitate the retreat, NLIHC enlisted Rebecca Bennett, founder and principal of Emerging Wisdom, to help cohort leaders design and implement a nine-month program that will be used as a framework for future cohorts. Thanks to the incredibly talented Chef Michael Daniels of Imagine Culinary Consulting, cohort members enjoyed a variety of great meals during their stay at the Resora.

On the second day, the cohort toured the Resora, where they learned more about the crops harvested there and the historical significance of the farm and its buildings. Tractor operator Carl Harris led the group in the 25-seat Bird Wagon by the farm's bee boxes, experiential rice fields, future duck pond, pecan orchard, muscadine grape vineyard, and Satsuma orange grove and stopped alongside the 85-acre pond. Ms. Hudley provided the group with a unique perspective on the land from someone who grew up in Albany.

After the tour, New Communities Program Director Amber Bell met with the cohort and shared how New Communities is advancing real social change in southwest Georgia and beyond. Property Manager Michael Smith, who ensured the cohort leaders were well-cared for from the moment they arrived, also answered questions and provided context for what the cohort leaders experienced on the tour. Mrs. Shirley Sherrod was originally scheduled to meet with the cohort; however, a week before the retreat, Reverend Sherrod's health had taken a turn for the worse, and, understandably, Mrs. Sherrod was not available to welcome the cohort leaders.

Cohort leaders spent the rest of the day attending sessions during which they could contribute to the creation of the cohort's vision, mission, goals, and functions. The last session of the day, conducted by Aaron and Janell Lane of Courageous Living, focused on racial trauma and healing. The tenant cohort members discussed how individual and institutional racism deeply impacts the ways they function as individuals, how racism affects their organizing, and how to manage the trauma that comes with institutional racism.

Albany native Rutha Mae Harris, one of the original four [Freedom Singers](#) who sang at the "March on Washington" in 1963, spent the evening with the cohort leaders. Ms. Harris, who had just returned to Albany after singing at the investiture ceremony of Justice Ketanji Brown Jackson the week before, spoke to the group about the importance of movement songs. She discussed her experiences in Albany and with the Civil Rights Movement and shared the power of her contralto voice and the fortitude behind the Freedom songs with the cohort.

The third day commenced with the second part of the racial trauma and healing workshop, which explored questions like: What does healing from racial trauma look like? How can it be sustained? The rest of the day was dedicated to sharing aspirations for NLIHC's 2023 Policy Forum including the development of a peer-to-peer network where community leaders could tap each other for insight and expertise on different issues; grant writing and funding resources for tenant-led organizations; resources for tenants regarding

tenant rights and legal services; and toolkits for resident actions tailored to residents' states and communities.



The day ended with a trip to the [Vicks Estate](#), a bed and breakfast in Albany, for a "Taste of the South" experience hosted by Mr. Clinton Vicks, a third generation Black farmer from Albany who is an activist and community leader in his own right. Music, dominoes, and large Jenga blocks entertained the guests next to the smoky aromas from the grill. At the end of the night, Mr. Vicks shared his talents - yet again - by performing an a capella version of "The Impossible Dream (The Quest)" from the Broadway musical *Man of La Mancha*.

While at the Vicks Estate, cohort leaders were able to meet and be in community with local housing advocates based in southwest Georgia, including Ms. Sherrell Byrd, from [SOWEGA Rising](#), and Ms. BJ Jackson, from Albany's Department of Community and Economic Development. The connections made with local activists and housing practitioners will surely continue as NLIHC expands its network in rural communities. The retreat ended the following day. Cohort members offered reflections about the weekend, provided closing remarks, and discussed next steps for the cohort, and for tenant engagement work at NLIHC.

On October 11, 2022, the day after the cohort leaders departed from the Resora, Reverend Charles Sherrod passed away at the age of 85. To learn more about the life of Reverend Sherrod and the programs at the Sherrod Institute, visit: www.sherrodinstitute.org



NATIONAL LOW INCOME
HOUSING COALITION



NLIHC's Tenant Leader Cohort joined by NLIHC staff and retreat participants sitting on the steps of the Resora Experience mansion in Albany, Georgia, for NLIHC's inaugural Tenant Leader Retreat

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