

**Volume 21, Issue 41**  
**October 24, 2016**

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## **NLIHC News**

### **NLIHC 2017 Housing Policy Forum and Leadership Awards Reception, April 2-4**

Register today for NLIHC's 2017 Housing Policy Forum in Washington, DC, April 2-4, 2017. The Forum will provide opportunities to engage with thought-leaders, policy experts, researchers, affordable housing practitioners, low income residents, and leaders from Capitol Hill and the new Administration about the state of the affordable housing crisis in America and its solutions. The 2017 Housing Leadership Award recipients, J. Ronald Terwilliger and Amy Anthony, will be recognized for their contributions to affordable housing at NLIHC's annual Leadership Reception on the evening of April 4.

The Policy Forum will explore challenges and opportunities emerging from the 2016 presidential and congressional elections and the best strategies for achieving positive affordable housing policy solutions. NLIHC will invite the new HUD secretary to share his or her vision and priorities and to engage with participants about their concerns, aspirations, and recommendations. The Forum will also explore the lessons learned from the first year of implementation of the national Housing Trust Fund; the intersections between housing and health, education, criminal justice reform, and other areas; and ways to rebalance U.S. federal housing investments to end homelessness and housing poverty, among many other topics. The third day of the Forum will provide an opportunity for participants to visit their congressional delegations on Capitol Hill.

J. Ronald Terwilliger, chairman emeritus and former CEO of the Trammel Crow Residential Company, will receive the 2017 Edward W. Brooke Housing Leadership Award for his outstanding contributions to the cause of rebalancing federal affordable housing policy at NLIHC's Leadership Reception on April 4. The Brooke Award is named for the late Senator Edward W. Brooke (R-MA), who championed low income and fair housing while in Congress and later served as the chair of NLIHC's Board of Directors. The award is presented to individuals who advocate for affordable housing on the national level. Retired Preservation of Affordable Housing President and Founder Amy Anthony will be the recipient of the 2017 Cushing N. Dolbeare Lifetime Service Award. The Dolbeare Award is named after NLIHC's founder, considered the godmother of the affordable housing movement. NLIHC presents the Dolbeare Award to individuals for their lifetime of service to affordable housing.

The NLIHC 2017 Housing Policy Forum and Leadership Reception will take place at the Washington Court Hotel in Washington DC. Register at: <http://bit.ly/2dnJpnS>

A limited number of shared-lodging hotel scholarships will be awarded on a first-come-first-served basis to low income residents who are NLIHC members and who pay their own Forum registration fee ("self-pay participants"). To ensure a broad geographic distribution, no more than two scholarships will be awarded to participants from any one state. To apply for a scholarship, send an email expressing interest to [outreach@nlihc.org](mailto:outreach@nlihc.org).

## **Budget**

### **Harmful Policy Riders Threaten to Derail Federal Spending Deal**

NLIHC has joined the Clean Budget Coalition—a group of more than 100 organizations—to urge Congress and the White House to reject harmful poison-pill policy riders that could prevent lawmakers from enacting a final full-year spending package for FY17, putting vital investments in affordable housing at risk.

If Congress does not approve full-year FY17 spending bills for the Departments of Housing and Urban Development (HUD) and Agriculture (USDA) and instead passes a long-term stopgap spending measure known as a continuing resolution (CR), these agencies will experience steep shortfalls in funding. A long-term CR will

result in deep cuts to critical housing programs that could cause thousands of families and children to lose access to stable, affordable housing, putting them at increased risk of homelessness.

The letter states, “Budget bills have been used before to undermine essential safeguards through ‘policy riders’ – provisions that address extraneous policy issues and are slipped into funding bills to win approval as part of must-pass funding legislation. We urge Members of Congress to oppose flawed funding proposals that include ideological policy riders and to finish this budget this year. We further urge the administration in the strongest possible terms to oppose any funding bills that have such riders before signing any final FY17 funding package.”

The deadline to sign onto the letter is Friday, October 28.

Sign onto the Clean Budget Coalition letter at: <http://bit.ly/2eeJhbw>

For more information about the negative impacts of a long-term CR, see: <http://bit.ly/2aK61e1>

## **HUD**

### **Louisiana to Receive Nearly \$438M in First Round of Flood Aid**

HUD announced on October 13 that Louisiana will receive the vast majority of the \$500 million in flood relief provided by Congress in last month’s stopgap spending bill. Louisiana will receive nearly \$438 million, or 88% of the total allocation, through the Community Development Block Grant Disaster Recovery (CDBG-DR) program. Texas will receive \$45 million, and West Virginia will receive remaining \$17 million. States impacted by Hurricane Matthew were not eligible for these funds, since disaster declarations for the hurricane occurred after the stop-gap spending bill became law.

HUD awarded the block grants based on each state’s proportional share of serious unmet housing needs to ensure funds would “assist the most impacted communities that experienced the most serious damage to their housing stock.” States will be able to use these funds to redevelop housing, repair infrastructure, and assist businesses. HUD will soon publish a notice in the *Federal Register* defining the criteria for the use of these funds.

“These three states — Louisiana, Texas and West Virginia — experienced intense and destructive flooding causing great damage to residents’ homes and draining state resources,” HUD Secretary Julián Castro said in the announcement. “Today, we make a critically needed investment to help these communities recover and help families rebuild their homes.”

Community leaders in Louisiana are developing a long-term plan for recovery from the catastrophic flooding that left thousands of homes damaged or destroyed across the state. State officials are hopeful that this initial funding serves as a “down payment” on the billions in federal aid needed to rebuild Louisiana.

Louisiana Governor John Bel Edwards said in a statement, “This is just the beginning, but it is a critical first step in getting help to Louisiana families and businesses that need it most. I am grateful to our entire delegation and the president and his administration for making this a priority. I look forward to working with them after the election on a comprehensive recovery package that will address Louisiana’s long-term recovery needs.”

Read the HUD’s press release at: <http://bit.ly/2dRk7vZ>

## **HUD Designates Difficult Development Areas and Qualified Census Tracts for 2017**

HUD published in the *Federal Register* on October 17 its list of 2017 Difficult Development Areas (DDAs) and Qualified Census Tracts (QCTs), which are used in the Low Income Housing Tax Credit (LIHTC) program. LIHTC properties in DDAs or QCTs can receive a 30% basis boost in qualified costs, increasing tax credits and resulting in greater equity in a project.

HUD designates DDAs and QCTs each year. DDAs are areas with high development costs relative to incomes. QCTs are census tracts with a poverty rate of at least 25% or in which 50% of the households have incomes below 60% of AMI.

The new DDAs and QCTs take effect January 1, 2017. For LIHTC applications submitted in 2017 for projects located in DDA or QCT areas that subsequently lose their DDA or QCT designations, the designations for the project remain in effect for 730 days from the filing of the complete application.

The October 17 *Federal Register* notice is available at: <http://bit.ly/2etwJcl>

The 2017 list of DDAs and QCTs is available at: <http://bit.ly/2egI3MY>

More information about the Low Income Housing Tax Credit program is available in NLIHC'S 2016 *Advocates' Guide* at: <http://bit.ly/1Tn9sqm>

## **Criminal Justice Reform**

### **DOJ Says Landlords Cannot Use Overly Broad Generalizations When Screening Applicants for Criminal Records**

The U.S. Department of Justice (DOJ) filed a statement of interest that argues the Fair Housing Act does not permit landlords to use overly broad generalizations that disproportionately impact protected classes of people when screening applicants' criminal records.

The statement of interest was filed in the U.S. District Court for the Eastern District of New York in *Fortune Society Inc. v. Sandcastle Towers Housing Development Fund Corp. et al.* The Fortune Society, a non-profit organization that provides and helps locate housing for formerly incarcerated individuals, brought the lawsuit to challenge the screening policy of a housing provider in Queens, NY that advertised it did not accept people with criminal records.

The Fortune Society is a member of the Reentry and Housing Coalition, led by NLIHC and the National Alliance to End Homelessness, which is working to ensure justice-involved individuals have access to housing.

The brief supports HUD's recent guidance regarding how housing providers may violate the Fair Housing Act when employing blanket policies in refusing to rent or renew a lease based on an individual's criminal history, as such policies may have a disparate impact on racial minorities.

Although the Fair Housing Act does not prohibit housing providers from considering applicants' criminal records, DOJ states that "categorical prohibitions that do not consider when the conviction occurred, what the underlying conduct entailed, or what the convicted person has done since then run a substantial risk of having a disparate impact based on race or national origin."

The brief explains that when a housing provider has a screening policy with a disparate impact, the housing provider must "prove with evidence – and not just by invoking generalized concerns about safety – that the ban

is necessary.” Even then, the policy will still violate the Fair Housing Act if there is a less discriminatory alternative.

“This filing demonstrates the Justice Department’s steadfast commitment to removing discriminatory barriers that prevent formerly incarcerated individuals from restarting their lives,” said Principal Deputy Assistant Attorney General Vanita Gupta, head of the Justice Department’s Civil Rights Division. “Women and men who served their time and paid their debt to society need a place to live, yet unlawful housing policies can too often prevent successful reentry to their communities. While not all criminal records policies adopted by landlords violate the Fair Housing Act, we will take action when they do.”

Read the statement of interest at: <http://bit.ly/2dD3l6p>

Learn more about the Reentry and Housing Coalition at: [www.reentryandhousing.org](http://www.reentryandhousing.org)

Learn more about the Fortune Society at: [www.fortunesociety.org](http://www.fortunesociety.org)

## Research

### Social Networks’ Influence on Housing Decisions Can Perpetuate Segregation

A study published in *Cityscape* titled “Housing Decisions Among Low-Income Hispanic Households in Chicago” by Laura Carrillo, Mary Pattillo, Erin Hardy, and Dolores Acevedo-Garcia finds that residential moves of their study’s participants – low income Hispanic households without housing assistance – were often unanticipated and constrained by financial, transportation, and immigration status considerations. Social networks were the most influential factor in deciding where to move, resulting in moves of a short distance that did not alter racial or class segregation.

Federal housing policies are attempting to alleviate the concentration of racial minorities in low income neighborhoods. The 2015 Affirmatively Furthering Fair Housing final rule (See *Memo*, [7/13/2015](#)) requires local governments to take proactive steps to undo historic patterns of segregation and discrimination and to ensure households have access to areas of opportunity. Housing Choice Vouchers (HCVs) are intended to provide low income renters the option of moving to higher opportunity neighborhoods.

These interventions, however, serve a small proportion of low income households because most people who qualify for housing assistance do not receive it. The Hispanic population particularly lacks housing assistance. The HCV program serves about 36% of income-eligible black renter households with children but only 6% of income-eligible Hispanic renter households with children.

The authors interviewed 23 Hispanic mothers without housing assistance living in Chicago because little research has explored the housing search process of this population. The interviews consisted of qualitative, open-ended questions.

All participants identified housing affordability as a problem. Many had to make sudden, unanticipated moves because of unpaid rent and looming eviction, stress caused from overcrowding, and other housing quality problems. Overcrowded housing was associated with the stress of housemate conflict and lack of control and privacy. Given their financial and time constraints, interviewees tended to rely on their social network of family or friends to find available, inexpensive housing. These networks tended to lead them to find housing in close proximity to their previous homes or in similar neighborhoods, perpetuating racial and class segregation. Moves were often “quick to nearby apartments.”

The authors provide policy recommendations to provide more residential options to low income households, including temporary or emergency rental assistance to provide the recipient with more time to locate affordable

housing in a neighborhood of their choice, improving fair housing enforcement, increasing the information that households receive about areas of opportunity, and making public investments in disinvested neighborhoods to improve transportation infrastructure and other priorities.

The authors caution that a universal voucher program would not completely eliminate the housing challenges faced by their study's participants. First, the immigration status of some participants would make them ineligible for assistance. Second, without stronger code enforcement and building inspections, housing quality problems – like insect infestations or plumbing, mechanical, or structural failures – cause sudden, unanticipated moves for both voucher holders and non-voucher holders.

*Housing Decisions among Low-Income Hispanic Households in Chicago* is available at: <http://bit.ly/2dRsyra>

## **CAP Reports on Emerging Housing Needs of Extended Families**

A report from the Center for American Progress (CAP) titled *Housing the Extended Family* examines the implications of changing trends in family composition for housing policy. The report finds that the changing composition of families, particularly the growth of “extended families,” will require policies that expand the supply of housing units intended for larger families.

Extended families are households that include family members such as grandparents, grandchildren, cousins, siblings or other relatives, as well as adult children residing with their parents. Extended families are often multigenerational, having household members from three or more generations. Compared to nuclear families which consist solely of parents and children under 18, extended families are also more racially and ethnically diverse, have lower incomes, and are more likely to live in poverty. Many extended families also have a foreign-born head of household, or come from a cultural background where home-sharing with extended family members is common.

The U.S. population living in extended families increased from 58 million to 85 million between 2001 and 2014, while the population living in nuclear families decreased from 95 million to 87 million. The authors attribute much of the growth in extended families to increased immigration, the Great Recession, and increasing numbers of families of color who are more likely to live in extended families.

According to CAP's analysis, the housing stock has not sufficiently adapted to these changing family dynamics, particularly in metropolitan areas where extended families are more likely to reside. Many extended families in metropolitan areas appear to be “underhoused,” meaning they occupy homes where there are more than two people per bedroom. Among the 10 metropolitan areas with the largest proportion of extended families, 7 have a higher percentage of underhoused extended families than the national average of 7%. At least one-third of underhoused extended families of five or more people in each of these 10 metropolitan areas would be unable afford to rent or own a larger unit. This suggests that many extended families might be underhoused out of economic necessity rather than as a matter of cultural preference.

The report concludes with several policy recommendations to address the emerging housing needs of extended families:

- Local jurisdictions should support the development and legalization of accessory dwelling units.
- The development and preservation of larger affordable units should be incentivized through Low Income Housing Tax Credit qualified allocation plans (QAPs).
- Pilot programs should be funded to explore the creation of “flexible” affordable housing that allows for the cost-effective modification of homes to meet changing family needs (e.g. adding bedrooms).
- Efforts should be made to preserve small rental properties that often provide more room and greater flexibility for housing extended families than do single family homes or large apartment buildings.

- Greater access to homeownership should be encouraged through mortgage products that account for income from extended family members in calculating debt-to-income ratios during the underwriting process.

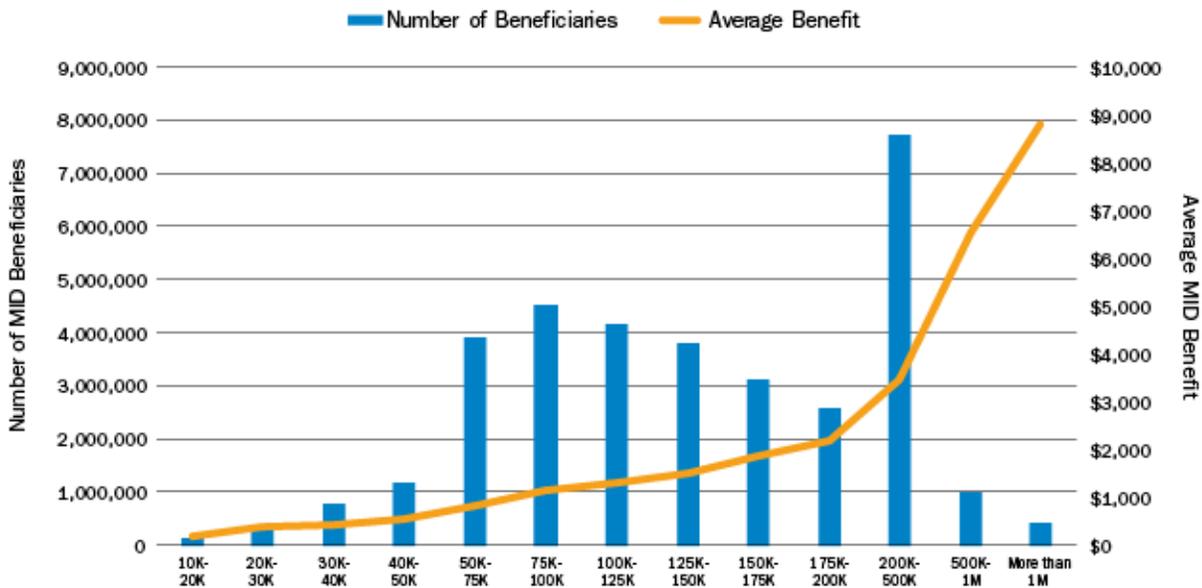
*Housing the Extended Family* is available at: <http://ampr.gs/2eqQFxF>

## Fact of the Week

### Mortgage Interest Deduction Benefits Highest Income Households Disproportionately



#### Total Beneficiaries and Average Benefit of the Mortgage Interest Deduction by Income



Source: Tax Policy Center, 2015

Source: Tax Policy Center, 2015

## From the Field

### Maine Advocates Call on State Legislative Candidates to Pledge Support for Release of Senior Affordable Housing Bond

Seventy percent of voters in Maine approved a general obligation bond measure in November, 2015 that will generate \$15 million for the construction of affordable rental housing and the rehabilitation of owner-occupied homes for the state’s seniors, to be used in conjunction with \$22.5 million in leveraged funds. Despite bipartisan support from both houses of the state legislature and overwhelming approval by the voters of Maine, Governor Paul LePage (R) has blocked release of the bond. Maine housing advocates are working to force the governor’s hand.

The bond referendum reached voters after passing the Democrat-controlled State House of Representatives with more than 80% of the vote and the Republican-controlled State Senate with more than 90% of the vote in June 2015. Governor LePage attempted to veto the measure, but his attempt to do so was ruled unconstitutional by a unanimous advisory opinion by the Maine Supreme Judicial Court (see *Memo*, [8/31/15](#)). Despite the court’s

ruling and support by the public and elected officials in all counties across the state, Mr. LePage has refused to take action. At a town hall forum this spring, Mr. LePage stated that he would never release the bond proceeds as long as he is Maine's governor.

The bond was proposed in response to a growing unmet need for senior housing statewide. The Maine Affordable Housing Coalition (MAHC), a NLIHC state partner, commissioned Abt Associates in January 2015 to research and publish a report titled "A Profile of Maine's Older Population and Housing Stock." The report showed that nearly one-third of Maine's population is age 55 or older, the highest of any state in the country. Fifty-two percent of Maine's senior renter households are cost-burdened, paying more than 30% of their gross monthly income on rent and utilities, and 24% are severely cost-burdened, paying more than half of their income on housing. Compounding the issue of an aging population is Maine's very old housing stock. Nearly 40% of renter-occupied homes in Maine were built prior to 1950. Maine has an estimated shortage of 9,000 affordable rental homes for low income seniors, a number that is expected to climb to 15,000 by 2022. Despite the shortage, only 39 new affordable homes for seniors have been added to Maine's housing stock so far in 2016.

Advocates led by MAHC have circulated a pledge to all candidates in this fall's Maine state legislative races, calling on them to urge Mr. LePage to release the senior affordable housing bond funding. The pledge reads: "I pledge to the voters of the State of Maine that I will respect their will and support legislation to immediately release the senior affordable housing bond that they overwhelmingly approved in November 2015." So far more than 170 state legislative candidates have signed the petition, which includes Republicans, Democrats, and Independents in State House and State Senate races across Maine. The pledge is supported by AARP Maine, the American Council of Engineering Companies of Maine, AIA Maine, the Maine Council on Aging, the Maine Real Estate & Development Association, the Maine Real Estate Managers' Association, and the Roman Catholic Diocese of Portland, Maine.

"Due to the governor's failure to act, more than 9,000 Maine seniors are needlessly waiting for safe, affordable homes. Without the release of these bond funds, the supply of affordable homes for Maine's seniors will continue to fall further behind the need," says MAHC Director and NLIHC Board Member Greg Payne. "Employing Maine workers to build the affordable homes that Maine seniors need is a smart and effective use of our state's bond capacity. We urge the governor to release the Senior Affordable Housing Bond as soon as possible, and are encouraged by the strong bipartisan response from legislative candidates seeking to ensure that the will of Maine voters is respected."

The pledge and full list of the candidates for state legislative office who have signed it are available at: <http://bit.ly/2eCwS2s>

The "Profile of Maine's Older Population and Housing Stock" report is available at: <http://bit.ly/2eCtfJI>

For more information, contact Greg Payne at [gpayne@mainehousingcoalition.org](mailto:gpayne@mainehousingcoalition.org).

## Resources

### Census Bureau Releases 2015 One-Year PUMS Data

The U.S. Census Bureau released the 2015 one-year American Community Survey (ACS) Public Use Microdata Sample (PUMS) file on October 20. The resource is now available via American FactFinder and DataFerrett. Each year, the Census Bureau makes PUMS files available to the public so that researchers can more closely analyze the ACS data. The PUMS files contain records on a subsample of housing units and information from the complete ACS questionnaire. Users can employ PUMS data to run custom tabulations not available in the Census Bureau's standard summary tables.

Data documentation for the latest PUMS file are at: <http://bit.ly/2eq3Blu>

The 2015 one-year PUMS file can be downloaded at [American FactFinder](#).

## **Events**

### **NeighborWorks Training Institute Comes to Washington, DC in December**

The NeighborWorks Training Institute (NTI) taking place December 12-16, 2016 in Washington, DC will offer more than 100 courses in affordable housing development and financing, housing asset management, community engagement, community revitalization, housing counseling, nonprofit management and leadership, and many other areas. The Wednesday symposium at the NTI is titled “Creating Economic Opportunities: Sharing Strategies” and will explore practical ways of addressing individual, geographic, and systemic drivers of economic disparities in communities across the country.

More information about the NTI and symposium are at: <http://bit.ly/2aVM07A>

### **National Housing Conference Policy Convening on Solutions for Affordable Housing**

The National Housing Conference’s national housing policy convening, “Solutions for Affordable Housing,” will take place on December 14, 2016. The event will chart a course for federal housing policy to empower the affordable housing community after the November presidential and congressional elections. Featuring national and local leaders in the affordable housing field, the convening will address how community needs connect to national housing policy. The conversation will focus on how new leadership creates opportunity for policy change guided by evidence and informed by the needs of people, communities, and the organizations working in affordable housing to serve them. Sessions will also highlight emerging best practices for practitioners to expand and improve their affordable housing work and will feature workshops on a wide range of pressing housing policy issues, like place making and mobility, floods and disasters, the future of public housing, and more.

View the agenda and find links to [register, sponsor and book a hotel room at a discount on NHC’s website](#).

## **More NLIHC News**

### **Support NLIHC While Shopping Amazon Smile!**

Fall is here and Halloween is just around the corner! As you prepare for cooler weather and Halloween festivities, you can support NLIHC by shopping on Amazon Smile.

Amazon Smile is a simple and automatic way for you to support NLIHC and our mission to ensure that the lowest income households in America have access to affordable and decent homes. When you shop through Amazon Smile, Amazon will donate a portion of the purchase price to NLIHC at no additional cost to you!

Click here to start supporting NLIHC’s work while shopping: <http://amzn.to/2ew9GOn>

Thank you for your support and happy shopping!

### **NLIHC Seeking Policy, Research, and Communications/Graphic Design Interns for Spring**

NLIHC is seeking applications for our spring intern positions. Interns are highly valued and fully integrated into our staff work. We seek students passionate about social justice issues, with excellent writing and interpersonal skills.

The available positions are:

- **Policy Intern.** Tracks new legislation, attends and summarizes Congressional hearings for the *Memo to Members* newsletter, participates in visits to Congressional offices, develops materials for use in lobbying the House and Senate to achieve NLIHC's policy agenda, and updates the NLIHC Congressional database.
- **Research Intern.** Assists in ongoing quantitative and qualitative research projects, writes weekly articles on current research for *Memo to Members*, attends briefings, and responds to research inquiries. Quantitative skills and experience with SPSS a plus.
- **Communications/Graphic Design Intern.** Prepares and distributes press materials, assists with media research and outreach for publication releases, works on social media projects, maintains a media database, and tracks press hits. Also assists with sending out e-communications; revising collateral print material such as brochures, flyers, and factsheets; and updating content on the NLIHC website. Some graphic design experience a plus.

Spring interns are expected to work 25 hours a week from mid-January to early May. NLIHC provides modest stipends.

A cover letter, resume, and writing sample are required for consideration. In your cover letter, please specify the position(s) for which you are applying and that you are interested in a spring 2017 internship.

Interested students should send their materials to: Paul Kealey, chief operating officer, National Low Income Housing Coalition, 1000 Vermont Avenue, NW, Washington, DC 20005 via email to [pkealey@nlihc.org](mailto:pkealey@nlihc.org).

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