

**Volume 21, Issue 46**  
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## Take Action

### Submit Affordable Housing Success Story to Share with Congress by December 15

Affordable housing advocates have our work cut out for us in the coming years. Threats to critical affordable housing programs that serve the poorest households are real and significant. President-elect Donald Trump has proposed cutting federal spending for everything but defense over the next ten years—a plan that could decimate affordable housing programs and increase housing poverty and homelessness.

It is more important than ever for NLIHC, the [Campaign for Housing and Community Development Funding \(CHCDF\)](#), and our partners to advocate for families with the lowest incomes in our communities and to ensure their voices are heard.

NLIHC and CHCDF are preparing a national report on the broad, positive impacts of HUD and USDA affordable housing programs to share with Members of Congress. Our hope is to feature a wide range of success stories to demonstrate how these programs have helped low income families living in rural, suburban, and urban communities nationwide. The report is slated for publication in early 2017.

We encourage state and local organizations, as well as concerned individuals, to submit a success story to include in this publication. Please submit only one success story per organization.

It is important that we collect stories from across the country—especially if they are on our target list for the House and Senate. See the target list at: <http://bit.ly/2fVEt9o>

Submit a success story at: <http://bit.ly/2gzcrjR>

The deadline to submit a success story is **December 15, 2016**.

### Join SAVE for All Letter Urging President and Congress to Protect and Assist Low Income People

The Strengthening America's Value and Economy (SAVE) for All Campaign is circulating a coalition letter urging Congress and President-elect Donald Trump to support policies that protect and assist low income and vulnerable people, invest in broadly shared economic growth and jobs, increase revenues from fair sources, and seek savings by reducing waste in defense spending and elsewhere.

The letter reads in part:

“We call upon you to make investments of proven effectiveness . . . and to reject policies and language that demean and discriminate against race, gender, immigrant status, disability or religion. . . . We also call upon you to make the economy work for all by investing in our infrastructure and our people. We must invest in the work of rebuilding public housing and schools, roads, water systems, and public transit that protect health and safety and meet the needs of a modern economy. Further, we should give priority to low-income communities most in need, including communities of color, and hire from those communities. . . . We strongly urge you to choose shared prosperity and fairness and to reject cuts that leave millions of Americans behind. We stand ready to support actions consistent with the SAVE for All principles and to oppose proposals that worsen inequality and harm low-income people.”

SAVE for All is a coalition of national, state and local advocacy groups, service providers, faith-based organizations, policy experts, labor and civil rights groups working to protect important services from harmful federal budget cuts and to save the federal capacity to spur economic recovery and progress for the benefit of all.

The deadline to sign onto the letter is January 5.

Read the coalition letter at: <http://bit.ly/2g7i486>

Sign onto the coalition letter at: <http://bit.ly/2gJ8SZ3>

## **Register Now for NLIHC 2017 Housing Policy Forum: Advancing Solutions in a Changing Landscape, April 2-4**

NLIHC's 2017 Housing Policy Forum: Advancing Solutions in a Changing Landscape, taking place in Washington, DC, April 2-4, will provide attendees the opportunity to engage with leaders from Capitol Hill and the new Administration on the state of affordable housing in the changing post-election landscape. These and other thought-leaders, policy experts, researchers, affordable housing advocates and practitioners, and low income residents will explore emerging challenges and opportunities given the political leadership changes in Washington, DC 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. A panel of Capitol Hill insiders will share their perspectives on what lies ahead for affordable housing in the 115<sup>th</sup> Congress. 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; ideas for addressing the needs in public housing; the latest research on vouchers and homeless assistance programs; 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.

The 2017 Housing Leadership Award recipients will be honored on the evening of April 4. 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. 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. Up to three individuals from the same NLIHC member organization may attend the Forum. 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 current 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 (with the exception of New York, where a donor has provided funding for six). The scholarships provide residents attending the Forum up to three nights of shared hotel lodging on April 1, 2, and 3. Scholarship recipients must commit to attending all Forum sessions, including a special resident session on Sunday, April 2 and Lobby Day on Tuesday, April 4. To apply for a scholarship, contact James Saucedo at [jsaucedo@nlihc.org](mailto:jsaucedo@nlihc.org). Questions? Call 202-662-1530 or email [jsaucedo@nlihc.org](mailto:jsaucedo@nlihc.org).

## **Submit Nominations for 2017 NLIHC Organizing Award**

NLIHC is accepting nominations for the 2017 Annual Organizing Award. The Organizing Award recognizes outstanding achievement during 2016 in state, local and/or resident organizing activity that furthers NLIHC's mission of achieving socially just public policy to ensure people with the lowest incomes in the U.S. have affordable and decent homes. Special consideration will be given to nominations that incorporate tenant- or resident-centered organizing. The award will be presented at the NLIHC 2017 Housing Policy Forum, held April 2-4, 2017 at the Washington Court Hotel in Washington, DC.

Nominations for the award are due by 5:00 pm ET on Wednesday, February 1, 2017.

An Organizing Award Committee composed of NLIHC board members and previous award winners will determine this year's honoree. Two representatives of the honored organization will receive complimentary Forum registrations, hotel accommodations, and transportation to Washington, DC to accept the award.

To be eligible, nominated organizations must be current NLIHC members. Organizations may self-nominate. NLIHC board members and Award Committee members may not nominate an organization with which they are employed or affiliated.

Nominations should contain the following information:

- Name and contact information of the organization being nominated;
- Name and contact information of the individual or organization submitting the nomination (if different from above);
- Description of the organization's achievement in the area of state, local and/or resident organizing in 2016, and how that achievement has contributed to furthering NLIHC's mission (800-word maximum); and
- Supporting materials that describe the activity or impact, such as press clips or campaign materials (optional).

Please submit your nomination online using the form at <http://www.nlihcforum.org/awards> or send your nomination by email to [jsaucedo@nlihc.org](mailto:jsaucedo@nlihc.org).

Contact James Saucedo at [jsaucedo@nlihc.org](mailto:jsaucedo@nlihc.org) with questions.

## **Administration**

### **President-elect Trump to Nominate Ben Carson as HUD Secretary**

President-elect Trump announced on December 5 that he will nominate Dr. Ben Carson as the new secretary of the Department of Housing and Urban Development. "Ben Carson has a brilliant mind and is passionate about strengthening communities and families within those communities," Mr. Trump said in a statement released Monday morning. "We have talked at length about my urban renewal agenda and our message of economic revival, very much including our inner cities."

Prior to Monday's announcement, NLIHC released a statement on Dr. Carson's expected appointment, stating, "with so many qualified candidates to choose from with deep knowledge of, and commitment to, affordable housing solutions for the poorest families, and with the housing crisis reaching new heights across the country, Dr. Ben Carson's nomination to serve as HUD secretary is surprising and concerning, given his lack of experience with or knowledge of the programs he would oversee."

The statement also notes, “The little that we do know about Dr. Carson’s position on affordable housing is a reason for concern. In July 2015, Dr. Carson published an [editorial](#) describing fair housing as an Obama administration “experiment,” revealing a fundamental misunderstanding of obligations that have been around since 1968, the year the Fair Housing Act was made law.”

With input from NLIHC, several media outlets, including the [Washington Post](#), [New York Times](#), [The Atlantic](#), and [CityLab](#), expanded on concerns over how HUD’s fair housing efforts would fare under Dr. Carson’s leadership. *CityLab* also published an [additional article](#), quoting NLIHC, attempting to find the silver lining of a medical doctor leading HUD, noting the potential positive outcomes if Dr. Carson were to use his position to make the case for the clear links between affordable housing and health.

If Dr. Carson is confirmed by the Senate, NLIHC is committed to working with him and his team, with Congressional delegations on both sides of the aisle, and with all of our members, partners, and allies towards ensuring that the country’s poorest people have safe and affordable homes. With just one in four of the lowest income households receiving needed housing assistance, we will continue urging President-elect Trump, Dr. Carson, and the entire incoming administration and Congress to commit to [expanding proven solutions](#) to [end homelessness and housing poverty](#) once and for all.

NLIHC’s full statement on the nomination of Dr. Carson as secretary of HUD is at: <http://nlihc.org/press/releases/7316>

## **NLIHC and Housing Advocates Provide Recommendations to Trump Transition Team**

NLIHC and the Campaign for Housing and Community Development Funding (CHCDF), a coalition of 70 national housing, homeless, and community development organizations working toward the highest possible funding for such programs, sent the Trump transition team separate memos outlining actions the new administration must take to end homelessness and housing poverty.

NLIHC’s memo highlights potential opportunities to protect and expand investments in affordable housing for families with the greatest needs, as well as ways to improve housing choice and mobility. The memo stresses that a comprehensive set of solutions are needed. The memo reads in part:

“Throughout the campaign, President-elect Trump has focused on the importance of rebuilding the American cities and communities. He proposed investing in our nation’s infrastructure in order to spur economic growth, create millions of new jobs, and increase wages for American workers. Both the Republican Party Platform and the House Republicans’ *A Better Way* Agenda commit to focusing resources on the people who need it the most and creating opportunities for low income families to escape poverty. For these reasons, protecting and increasing investments in affordable rental housing for extremely low income families should be a key priority of a Trump administration. NLIHC urges this administration to seize the opportunity to address the full scope of affordable housing challenges for families with the greatest needs.”

The CHCDF memo details ways the Trump administration can work with Congress to increase affordable housing resources through infrastructure investments, negotiations on spending caps, and tax reform. The memo reads in part:

“[T]he Trump administration must use every tool available to solve the problem. A comprehensive set of solutions to end housing insecurity in America includes: preserving and rehabilitating our nation’s existing affordable housing stock; increasing investment in the production of affordable housing for low income families; and expanding rental assistance and other housing programs that help make housing affordable. To this end, we wish to offer our recommendations on how the Trump administration can work to expand federal resources for proven and effective affordable housing programs that have helped millions of families break through the cycle of poverty and climb the ladder of economic success.”

CHCDF, coordinated by NLIHC, promotes strengthening existing affordable housing and community development programs in order to expand and preserve affordable and accessible housing options for low and moderate income families.

Read NLIHC's transition memo at: <http://bit.ly/2fJZ43s>

Read CHCDF's transition memo at: <http://bit.ly/2fPH4Vs>

## **Budget**

### **Congress to Vote on Continuing Resolution This Week**

Congress is expected to vote on a short-term continuing resolution (CR) this week to fund the federal government before the current CR expires on December 9. While House Republicans initially pushed for the new CR to run through March, Senate Republicans indicated that they wanted the CR to run longer to accommodate the Senate's packed schedule in the first few months of the new Congress. Now lawmakers are discussing having the CR run through the end of April.

It remains unclear to what level of spending the CR will be written. Some appropriators said they expected the bill to be written to the FY17 discretionary spending level agreed upon in the 2015 bipartisan budget agreement. Under that agreement, discretionary spending for both defense and nondefense spending was capped at \$1.067 trillion for FY 2016 and \$1.070 trillion for FY 2017. The current CR is written to the FY16 level.

Enacting another CR at FY16 levels could cause a steep shortfall in HUD funding, greatly impairing the agency's ability to provide critical housing assistance to families with the lowest incomes. Thousands of families and children could lose access to stable housing, putting them at increased risk of homelessness, and many with disabilities could lose accessible housing. More than an estimated 100,000 vouchers could be lost in FY17 if Congress passes a full-year CR at FY16 levels.

House Appropriations Chair Hal Rogers (R-KY) stated that the CR will include many spending anomalies throughout the bill. An "anomaly," in the context of a CR, is a special provision included to address a particular program need. Several HUD programs may require anomalies to meet their contractual obligations and continue to serve HUD-assisted households.

### **Advocates Warn Congress of Danger of a Stopgap Spending Bill at FY16 Funding Levels**

The Campaign for Housing and Community Development (CHCDF) sent a letter to Members of Congress explaining why a stopgap funding measure, known as a continuing resolution (CR), puts the FY17 affordable housing budget at risk. CHCDF urged lawmakers to enact clean, full-year FY17 spending bills for HUD and the U.S. Department of Agriculture (USDA).

The letter reads in part:

"For FY17, HUD needs approximately \$1.5 billion more than FY16 spending levels and USDA needs \$18 million more to maintain current program levels and renew existing housing assistance contracts. This increase will help to keep all families using tenant and project-based rental assistance in their homes, including veterans who have recently received HUD-VASH vouchers. A CR at FY16 levels could result in deep cuts to critical housing programs that could cause thousands of families and children to lose access to stable housing, putting them at increased risk of homelessness, as well as losing accessible housing for millions with disabilities. More than an estimated 130,000 vouchers could be lost in FY17 if Congress passes a full-year CR at FY16 levels."

CHCDF is a coalition of 70 national housing, homeless, and community development organizations working together toward the highest possible funding for such programs. CHCDF, coordinated by NLIHC, promotes strengthening existing affordable housing and community development programs in order to expand and preserve affordable and accessible housing options for low and moderate income families.

Read the coalition letter at: <http://bit.ly/2glpvLY>

## **National Housing Trust Fund**

### **Twenty-Eight HTF Allocation Plans Approved To Date**

Twenty-eight national Housing Trust Fund (HTF) Allocation Plans have been approved by HUD as of December 1. HUD has obligated seven HTF grants and is reviewing 13 resubmitted Allocation Plans. HUD is awaiting additional plan resubmissions from 14 states. The HTF statute requires states to draft an Allocation Plan each year indicating how it will distribute its HTF resources. The HTF statute requires Allocation Plans to describe the criteria the state will use in awarding HTF money to projects based on six priority factors spelled out in the statute. NLIHC urges states to give strongest priority to three of the six factors: the extent to which rents will be truly affordable to extremely low income households, the extent to which the affordability periods extend beyond the required minimum of 30 years, and the merits of the project in addressing the most pressing housing needs. Draft HTF Allocation Plans are subject to the public participation requirements in the Consolidated Plan regulations.

At this time, HUD is able to confirm that it has approved the HTF Allocation Plans for Hawaii, Kentucky, Massachusetts, New Hampshire, and Vermont. HUD does not announce approvals until a formal grant agreement has been executed between the state and HUD, a state's congressional delegation has been notified, and HTF information has been entered into HUD's management information system, IDIS.

## **HUD**

### **HUD Issues Final Smoke-Free Public Housing Rule**

HUD released the final rule requiring public housing agencies (PHAs) to implement a smoke-free policy within 18 months. The final rule has only one change from the proposed rule (see *Memo*, [11/16/15](#)), adding waterpipes (hookahs) to the list of prohibited products that include cigarettes, cigars, and pipes.

PHAs must design and implement a policy prohibiting the use of prohibited tobacco products in all public housing living units and interior areas (including but not limited to hallways, rental and administrative offices, community centers, daycare centers, laundry centers, and similar structures), as well as at outdoor areas within 25 feet of public housing and administrative office buildings (collectively, referred to as "restricted areas") in which public housing is located.

In October, 2012, HUD sought public comment regarding how HUD could continue to support the implementation of smoke-free policies for public housing and multifamily housing (see *Memo*, [10/5/12](#)). In October, 2014, HUD released *Change is in the Air*, an action guide for PHAs to voluntarily establish smoke-free policies in public housing and HUD-assisted multifamily housing (see *Memo*, [10/27/14](#)). Since 2009, more than 600 PHAs have voluntarily implemented smoke-free policies in at least one of their buildings.

PHAs may, but are not required to, further limit smoking to outdoor designated smoking areas on the grounds of the public housing or administrative office buildings in order to accommodate residents who smoke. These areas must be outside of any restricted areas and may include partially enclosed structures. PHAs may also make their entire grounds smoke-free. NLIHC's comments about the proposed rule expressed concern about

giving PHAs discretion in providing designated smoking areas. NLIHC urged HUD to require PHAs to designate smoking areas that contained shade and seating conveniently located to each public housing building.

PHAs are required to document their smoke-free policies in the PHA Plans, a process that requires resident engagement and public meetings. The proscription on the use of prohibited tobacco products must also be included in a tenant's lease, through an amendment process or as tenants renew their leases each year.

The preamble to the final rule discusses a number of issues raised by more than 1,000 comments submitted in response to the proposed rule. A person with mobility impairments or mental disabilities may request a reasonable accommodation to the smoke-free policy under Section 504 of the Rehabilitation Act of 1973. The final rule does not "grandfather" (exempt) current residents from the rule. Nor is there anything in the final rule to prevent or minimize adverse consequences of a PHA's smoke-free policy from relying on residents to report violations.

NLIHC's comments on the proposed rule raised concerns about the enforcement of smoke-free policies. NLIHC recommended HUD develop an enforcement policy for PHAs that avoided evictions which could lead to homelessness. NLIHC suggested HUD require PHAs to adopt a graduated enforcement protocol prioritizing education and smoking cessation. For example, a first violation would result in a verbal warning and smoking cessation materials. A second violation would add referral to resident services coordinator. A third violation would add a notice to vacate with an opportunity to remedy. Smoking would not be considered a lease violation until after the third violation in the year. At the end of a year the slate would be wiped clean. However, a fourth violation in a year would result in a notice to vacate without a chance to remedy.

The preamble to the final rule instead clearly states that any violation of a PHA's smoke-free policy would constitute a lease violation. HUD suggests that termination of assistance for a single incident of smoking should not be grounds for eviction. HUD does encourage a graduated enforcement approach that includes escalating warnings with documentation to the tenant file, but does not establish national standards or require incremental steps. HUD states that enforcement provisions were not included in the final rule because lease enforcement policies are typically at the discretion of PHAs. HUD states that specific graduated enforcement procedures were not required because public housing leases are subject to different local and state procedural requirements that must be met prior to eviction.

HUD offers best practices regarding smoke-free implementation and enforcement at: <http://bit.ly/1QypCMG>

A HUD media release is at: <http://bit.ly/2glJiek>

The final rule is at: <http://bit.ly/2gOdFKZ>

HUD's Smoke-Free Toolkit is at: <http://bit.ly/1QypCMG>

Information about PHA Plans is on pages 7-29 of NLIHC's *2016 Advocates' Guide* at: <http://bit.ly/2gJXqwd>

## **HUD Explains How It Proposes to Implement New Public Housing Income Limits**

HUD published a notice in the *Federal Register* informing the public about how HUD proposes to implement the new public housing income limit provision of HOTMA, the Housing Opportunity Through Modernization Act of 2016 (see *Memo*, [9/28](#)). HUD issued an advance notice of proposed rulemaking (ANPR) on February 3 (see *Memo*, [2/8](#)). If a household's income exceeds 120% of the area median income (AMI) for the most recent two consecutive annual income reviews, the new law requires public housing agencies (PHAs) to either:

- Terminate the household's public housing tenancy within six months, or
- Charge rent equal to the greater of the fair market rent (FMR) or the amount of monthly subsidy for the unit.

HOTMA requires PHAs to notify a household of the potential rent change after the first year a household's income exceeds 120% AMI.

The law also requires PHAs to submit an annual report to HUD indicating the number of households with incomes exceeding applicable limits, as well as the number of households on the waiting list. These reports are to be made available to the public.

HUD has the authority to adjust the 120% limit because of prevailing construction costs, unusually high or low incomes, or unusually high or low vacancy rates. The notice explains how HUD makes adjustments for high housing costs and low housing costs, and indicates that it will apply those adjustment formulas to the 120% AMI limit where necessary. For example, in the Los Angeles metropolitan area where housing costs are high, the income limit would be 167% of AMI.

HUD will accept comments until December 29.

The notice is at: <http://bit.ly/2gKQxJJ>

### **Slides from Webinar on RAD Fair Housing and Relocation Guidance Available**

HUD conducted a webinar on November 17 highlighting key features of Notice H 2016-17/PIH 2016-17 providing guidance on fair housing and civil rights and on resident relocation statutory and regulatory requirements when public housing agencies convert public housing to project-based rental assistance under RAD, the Rental Assistance Demonstration (see *Memo*, [11/14](#)).

The webinar slides are at: <http://bit.ly/2gKxW0m>

Listen to Tom Davis, the Director of the Office of Recapitalization, discuss the slides at: <http://bit.ly/2gM30hu>

More information about RAD is available on pages 4-13 of NLIHC's *2016 Advocates' Guide* at: <http://bit.ly/22QZiEm>

## **Research**

### **Mobility Program Provides Access to Higher Quality Neighborhoods**

A study titled "The Effects of a Housing Mobility Experiment on Participants' Residential Environments" by Quynh Nguyen, Dolores Acevedo-Garcia, Nicole Schmidt, and Theresa Osypuk published this month by *Housing Policy Debate* finds that voucher recipients in the Moving to Opportunity (MTO) demonstration program experienced improvements in neighborhood conditions, such as lower rates of violent crime, fewer economic disadvantages, and fewer signs of neighborhood disorder.

MTO was a \$70 million 10-year HUD demonstration program begun in 1994 aimed at testing the effects of low income voucher recipients moving from high-poverty to low-poverty neighborhoods. While most previous studies have looked at outcomes for individuals and families, such as mental health, physical health, and labor market participation, fewer studies have looked at changes in neighborhood conditions.

The MTO demonstration program was implemented in five major cities (Baltimore, Boston, Chicago, Los Angeles, and New York) and included over 4,600 families with children initially living in public or project-based assisted housing located in high-poverty neighborhoods. Families were assigned to one of three groups:

1. **Low-poverty group:** These families were provided Housing Choice Vouchers that could only be used in low-poverty neighborhoods where less than 10% of households were in poverty. This group received housing counseling to help them find appropriate rental units.
2. **Section 8 group:** These families were given traditional housing vouchers which had no restrictions on the type of neighborhoods in which they could be used. This group received no counseling.
3. **Control group:** These families received no vouchers through MTO, but continued to be eligible for project-based housing assistance and whatever other social programs and services to which they would otherwise be entitled.

The low-poverty and Section 8 group experienced improvements in neighborhood conditions as compared to the control group. Both groups experienced better neighborhood socioeconomic conditions, such as lower neighborhood unemployment, lower housing vacancy rates, and lower rates of households receiving public assistance. The effect was larger for the low-poverty group than the Section 8 group on 11 of 22 socioeconomic indicators. Both groups also experienced an improvement in participants' feeling safe in their neighborhood and declines in neighborhood social disorder, as measured by public drinking, people seen using drugs, police not coming when called, and the prevalence of trash, graffiti, and abandoned buildings.

The study informs current efforts to improve low income households' access to higher opportunity neighborhoods. The study also demonstrates how a single program target, a lower neighborhood poverty rate, achieved broader neighborhood outcomes, which the authors note is an important consideration in the debate around how to identify "higher opportunity" neighborhoods.

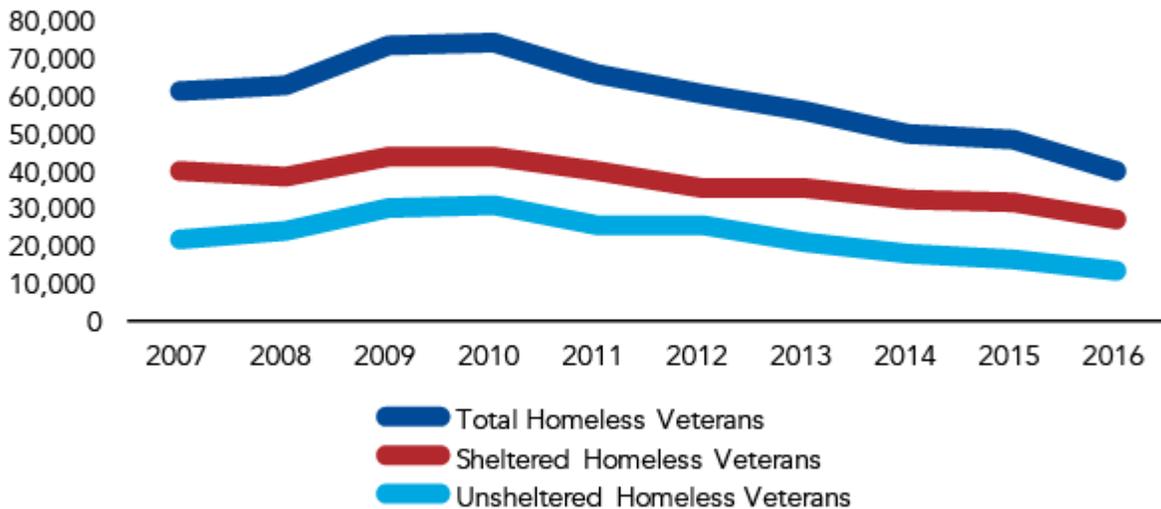
Voucher holders face multiple barriers in moving to low-poverty, higher opportunity neighborhoods. These barriers include a lack of housing available to voucher holders, limited time to find a rental unit, limited knowledge about available units, and the lack of sufficient social services to assist families experiencing other difficulties such as unemployment, mental or physical health problems, or violent crime victimization that put additional strains on the family while searching for a home. Few mobility programs exist to help voucher holders overcome these barriers. And while neighborhood data are available, housing authorities are not evaluated on voucher holders' neighborhood conditions. The authors recommend funding for housing counseling and search services to ensure families have the assistance they need to locate housing in higher opportunity neighborhoods and to remain there in subsequent moves.

*The Effects of a Housing Mobility Experiment on Participants' Residential Environments* is available at: <http://nlihc.org/sites/default/files/Effects-of-a-Housing-Mobility-Experiment-on-Participants-Residential-Environments.pdf>

## Fact of the Week

### Sheltered and Unsheltered Homeless Veterans

#### Sheltered and Unsheltered Homeless Veterans (2007-2016)



Source: The 2016 Annual Homelessness Assessment Report to Congress, 2007-2016 Point-in-Time Estimates by States.

Source: The 2016 Annual Homelessness Assessment Report to Congress, 2007 – 2016 Point-in-Time Estimates by States.

### From the Field

#### DC Advocates Urge City Council to Strengthen Rent Control Requirements

Local advocates in Washington, DC are collaborating to push the DC Council to strengthen the city's rent control policies to protect low income renters in the District. The city first enacted rent control in 1973 in an effort to assist the city's elderly and low income renters. Currently the District's rent control applies to buildings with five or more units built before 1975. Since 2006 when rent control laws were last amended, the city's population has grown and rents have soared. The weaknesses of the city's rent control policy, which allow for rent increases under a variety of conditions, have become more apparent as the rental market has tightened.

A coalition of advocates comprised of the Coalition for Nonprofit Housing and Economic Development (CNHED), an NLIHC partner, the Latino Economic Development Center (LEDC), the Legal Aid Society, Jews United for Justice, the Legal Counsel for the Elderly, Bread for the City, and other groups are supporting the DC Council's efforts to strengthen rent control by closing some of the existing loopholes to secure the city's affordable housing stock and protect low income renters who rely on modest rents to stay in their homes.

The District's existing rent control requirements include several conditions under which property owners can increase rents, including the implementation of fixed annual increases, "vacancy increases," and "hardship increases." Extremely low income renters in DC - 81% of whom are housing cost-burdened, spending more

than 30% of their incomes on their housing - suffer these increases most acutely, and many are forced from their homes.

Under current rent control law, the District's Rental Housing Commission sets a rent-control Consumer Price Index (CPI), which determines the rate by which property owners can increase rents annually. In most cases, property owners can increase rents by the CPI plus 2%. Annual rent increases for the elderly and tenants with a disability are limited to CPI. The coalition of rent control advocates have called on the DC Council to eliminate the additional 2% increase, which LEDC notes "is already slowly eroding the affordability of rent controlled apartments."

Property owners can also increase rents by between 10 and 30% when a vacancy occurs, depending on other conditions. Therefore, even if a unit has remained affordable during a renter's tenure, that unit may be lost to the city's overall affordable housing stock when the renter moves. The opportunity to implement a vacancy increase can also incentivize property owners to empty units through eviction or delayed maintenance, resulting in uninhabitable homes. Advocates argue the vacancy increases are "extraordinary" and should be reduced or eliminated.

Finally, the city's rent control laws allow landlords to petition the government for hardship increases if their return on investment for the property is less than 12% (a rate of return last changed during a period of high interest rates in the early 1980s). The law does not limit the size of the hardship increase and allows landlords to raise rents conditionally by the full amounts listed in their petitions, at times more than 100%, if the city does not adjudicate their requests within 90 days. The conditional increase stays in place until the full adjudication of the petition, which sometimes takes years. Residents and many tenant advocates see the conditional hardship increase as exploitative and contrary to the intent of rent control as owners frequently use it to force residents out and increase profits in gentrifying areas.

This fall members of the DC Council, spurred by the rent control coalition's advocacy, took additional steps to protect the rights of tenants and the stability of rental housing in DC. The rent control coalition worked with Councilmember Anita Bonds to reduce or eliminate the hardship and vacancy increases, as well as the 2% increase allowed on top of the annual CPI increase. Ms. Bonds, chair of the Council's Housing and Community Development Committee, sponsored several interconnected affordable housing bills. Her proposals would adjust the annual rent control increase from CPI plus 2% to just CPI, eliminate the vacancy increase, and make the 5% cap on the hardship increase permanent. (In 2014, the DC Council voted to cap the hardship increase at 5%, but the cap is temporary. A permanent cap was recently passed by the Council and awaits the mayor's signature.) Advocates testified to the DC Council about the importance of these protections and are hopeful most will pass by the end of the current Council session on December 31. The measures would help curb the rising costs of rental housing in the District and protect the low income renters who suffer its effects most acutely.

"CNHED and the other members of the coalition of rent control advocates are thankful for Councilmember Bonds' leadership on these issues and are excited that so many members of the Council support strengthening the District's rent control laws," stated CNHED President and CEO Steve Glaude.

## **NLIHC News**

### **Tell Us What You Think about *Memo to Members***

NLIHC is in the process of reformatting *Memo to Members*, and we would like your input. Please take a few minutes to complete a brief survey on *Memo* located here: <https://www.surveymonkey.com/r/PGGDPXG>

The responses from the survey will help us reformat *Memo to Members* in a way that will be most useful to you.

Please complete the survey by **Thursday, December 15, 2016**.

Feel free to contact Ellen Errico, NLIHC's creative services manager, at [eerrico@nlihc.org](mailto:eerrico@nlihc.org) with questions or comments. We appreciate your time and feedback.

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

The holidays are just around the corner. As you prepare for cooler weather and 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 Intern for Spring**

NLIHC is seeking applications for our spring policy intern position. 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 policy intern assists the NLIHC policy team by tracking new legislation, attending and summarizing Congressional hearings for the *Memo to Members* newsletter, participating in visits to Congressional offices, updating the Congressional database, and developing materials for use in lobbying the House and Senate to accomplish NLIHC's mission. Experience or classwork in policy, advocacy, or government affairs 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 that you are interested in the spring policy 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).

## **NLIHC Staff**

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Dan Emmanuel, Research Analyst, x316  
Ellen Errico, Creative Services Manager, x246  
Ed Gramlich, Senior Advisor, x314  
Stephanie Hall, Field Intern/MSW Practicum Fellow x230  
Sarah Jemison, Housing Advocacy Organizer, x244  
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Joseph Lindstrom, Senior Organizer for Housing Advocacy, x222  
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