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## **Budget and Appropriations**

### **Congress Passes New CR, Pushing Deadline for FY24 Spending Bill to 3/1; Take Action on 1/25 to Demand Increased Funding for Affordable Housing and Homelessness Programs!**

Congress passed and President Biden signed into law on January 18 another short-term continuing resolution (CR) that will extend funding for HUD programs through March 1, at which point Congress will need to finalize its fiscal year (FY) 2024 spending bills, pass another CR, or face a partial shutdown of the federal government. NLIHC and our colleagues at the Campaign for Housing and Community Development Funding ([CHCDF](#)) will host a National Day of Action on January 25 calling on advocates around the country to mobilize and contact their members of Congress to demand increased funding for HUD and U.S. Department of Agriculture (USDA) affordable housing, homelessness, and community development programs in the final FY24 spending bills.

The CHCDF, a coalition of more than 70 national organizations working to secure increased federal funding for HUD and U.S. Department of Agriculture (USDA) affordable housing, homelessness, and community development programs, represents a full continuum of national housing and community development organizations, including faith-based, private sector, financial/intermediary, public sector, and advocacy groups.

### **Take Action on January 25!**

Congress needs to hear from you about the importance of affordable housing and homelessness programs! That's why we are asking advocates to [contact their members of Congress on January 25](#) and demand increased investments for affordable housing and homelessness in the 2024 budget.

Specifically, NLIHC is calling on Congress to provide in this year's budget:

- Full funding to renew all existing contracts for the Housing Choice Voucher (HCV) program.
- Full funding for public housing operations and repairs.
- The Senate's proposed funding for Homeless Assistance Grants.
- The protection of \$20 million in funding in the Senate bill for legal assistance to prevent evictions.
- The House's proposed funding level for Native housing.

The significant increase in the cost of rent has pushed up the cost of renewing contracts for the Housing Choice Voucher (HCV) program. As a result, neither the [House](#) nor [Senate](#) draft FY24 spending bills for HUD provide sufficient funding to renew all Housing Choice Voucher (HCV) contracts upon turnover. As a result, when a household no longer needs a voucher, the voucher will expire rather than being re-issued to another household in need. The Center on Budget and Policy Priorities (CBPP) [estimates](#) that, at levels provided in the Senate bill, 80,000 vouchers would be lost, and at levels provided in the House bill 112,000 vouchers would be lost upon turnover.

Advocates can join the National Day of Action on January 25 and engage their members of Congress by:

- **Emailing or calling members' offices** to tell them about the importance of affordable housing, homelessness, and community development resources to you, your family, your community, or your work. You can [use NLIHC's Take Action page](#) to look up your member offices, or call/send an email directly!
- **Using social media to amplify messages** about the country's affordable housing and homelessness crisis, and the continued need for long-term solutions.
- **Sharing stories** of those directly impacted by homelessness and housing instability. Storytelling adds emotional weight to your message and can help lawmakers see how their policy decisions impact actual people. Learn about [how to tell compelling stories with this resource](#).

National, state, local, tribal, and territorial organizations can [also join over 2,100 organizations on CHCDF's national letter](#) calling on Congress to support the highest level of funding possible for affordable housing, homelessness, and community development resources in FY24.

Check out NLIHC's [Day of Action Toolkit](#) for more ideas, including sample social media posts, talking points, resources, and more!

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## **Disaster Housing Recovery**

### **FEMA Announces Significant Changes to Individual Assistance Program Urged by NLIHC's DHRC**

FEMA released today a long-awaited [Interim Final Rule](#) in the *Federal Register*. The rule includes significant modifications to FEMA's Individual Assistance (IA) program to expand the amount of assistance available to disaster survivors and address long-standing barriers that have prevented millions of disaster survivors from receiving the assistance they were owed. The changes to the IA program announced in the Interim Final Rule would not have been made without the determined and decades-spanning advocacy conducted by the members and partners of the NLIHC-led Disaster Housing Recovery Coalition (DHRC).

Low-income households and their communities receive far less assistance than they need to recover after disasters and regularly experience significant barriers to accessing that assistance. The application process of FEMA's IA program is notoriously complicated, and program rules typically favor higher-income applicants when determining the amount of assistance to provide. The new rule, "Individual Assistance Program Equity," was first mentioned by FEMA in 2022, and advocates have been awaiting its release since then. The reforms announced in the rule remove several barriers to assistance and expand the amount of repair and housing aid available for both lower-income renters and homeowners. The interim final rule will take effect on March 22, 2024.

The barriers to adequate assistance addressed in the rules have affected millions of disaster-impacted households around the country. For decades, advocates in disaster-impacted areas have catalogued the consequences of these barriers, struggled against them to serve their disaster-impacted communities, and pushed Congress and FEMA for their removal. The new change in FEMA policy would not have been possible without these efforts. Indeed, the rule explicitly cites portions of comments submitted in the past by the DHRC and its members regarding needed reforms that were considered in making the changes.

The DHRC thanks FEMA Administrator Deanne Criswell for making the long-awaited reforms. NLIHC will continue to monitor implementation of the new policies and push for legislative reforms that codify the changes in statute, broaden their scope, and strengthen their application to help ensure that all disaster survivors – including low-income households, individuals experiencing homelessness, individuals with disabilities, individuals with low English proficiency, and others – receive the assistance they need to fully recover.

NLIHC will host a webinar in the coming weeks to help advocates better understand the scope of the changes announced in the interim rule. Stay tuned for more information.

[Read more](#) about the implemented improvements.

To learn more about disaster recovery and housing, [join](#) the DHRC's Disaster Recovery Working Group, which meets every Wednesday. Learn more about the DHRC and register as a member [here](#).

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## **More States Choose to Require Disclosure of Flood Risks to Homebuyers and Renters**

Lawmakers in states across the U.S. have begun requiring home sellers and landlords to disclose flood risks to potential buyers and renters. North Carolina, South Carolina, New York, and New Jersey were among the states that passed stronger flood disclosure policies in 2023. Several bills have also been introduced in [Vermont](#) that would require home sellers, landlords, and manufactured home park owners to communicate flood risk and flood history to prospective homebuyers and renters.

A [state-by-state analysis](#) by the Natural Resource Defense Council and Columbia Law School in 2023 showed that more than one-third of states have no statutory or regulatory flood disclosure law for real estate transactions. Other states have varying degrees of disclosure requirements. Louisiana, Texas, Oklahoma, and Mississippi have some of the most robust disclosure laws in the nation. However, many other at-risk states, including Florida, still do not require sellers to divulge to buyers whether a home has previously flooded.

In a 2022 analysis, FEMA found that states with stronger disclosure requirements often have higher rates of residents with flood insurance policies. The NRDC's analysis shows that the number of states with strong flood disclosure policies has jumped to eight from four since 2021.

However, the NRDC says that the lack of continuity hinders buyers from making fully informed decisions and advocates for states to enact stronger laws.

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## Low-Income Housing Tax Credit

### Senator Wyden and Representative Smith Release Tax Bill, Hold Markup While Excluding Key LIHTC Reforms – Take Action!

Senator Ron Wyden (D-OR), chair of the U.S. Senate Committee on Finance, and Representative Jason Smith (R-MO), chair of the U.S. House of Representatives Committee on Ways and Means, released legislative text for their previously announced framework for a bipartisan tax bill (see [Memo, 1/16](#)). The tax bill includes provisions to expand the Child Tax Credit (CTC) in exchange for extending corporate tax cuts that had been set to expire, as well as provisions that expand the Low-Income Housing Tax Credit (LIHTC). However, the bill fails to include [key reforms](#) that would increase the affordability and accessibility of homes financed by LIHTC to people with the lowest incomes. NLIHC has released a [statement](#) on the tax bill and the continued need for federal affordable housing investments, and NLIHC President and CEO Diane Yentel [summarized](#) the urgent need for reforms on X (formerly Twitter).

Senator Wyden and Representative Smith created the framework for the bill, which will be introduced as the “Tax Relief for American Families and Workers Act of 2024.” The legislation ([H.R. 7024](#)) was also amended in a House Ways and Means Committee [markup](#) held on January 19. The bill includes provisions to enhance the Child Tax Credit, expand business tax credits for research and development, support communities impacted by disasters with small business tax credits, expand the Low-Income Housing Tax Credit (LIHTC), and end a pandemic-era employee retention tax credit. In the case of LIHTC, the tax bill would restore a temporary 12.5% increase and support the use of private activity bonds to finance affordable housing. During the January 19 House Ways and Means Committee [markup](#), several members of Congress cited the need for LIHTC reforms, but amendments to add such reforms failed or were withdrawn. Representative Gwen Moore (D-WI) called the tax bill a “missed opportunity.” She noted her appreciation for LIHTC changes, but observed that the bill would not help Tribal communities in any way. Ultimately, the legislation passed with amendments by a 40-3 vote, with Representatives Moore (D-WI), Sanchez (D-CA), and Doggett (D-TX) voting against it.

While the legislation expands LIHTC, it fails to include key reforms to ensure homes built with LIHTC are affordable to the lowest income and most marginalized households, including those experiencing homelessness. NLIHC has advocated for three key reforms to be included in any LIHTC expansion: a 20% set aside of tax credits for extremely low-income households or those experiencing homelessness; and the designation of both rural and Tribal communities as “difficult development areas” (DDAs), which would boost housing development.

By failing to include these critical reforms to LIHTC in the tax bill, Congress has continued to neglect the housing needs of those most at risk of homelessness. Most notably, and in the wake of [HUD’s report showing the highest recorded levels of homelessness](#), Congress has failed to use a legislative vehicle – this time, the tax package – to serve those most vulnerable. LIHTC is the

nation's primary source of financing for the construction and preservation of affordable housing, but on its own, the tax credit is rarely used to build or preserve homes affordable to households with the greatest and clearest needs.

### **Take Action!**

It is not too late to urge your members of Congress to include LIHTC reforms in any upcoming tax legislation. While the tax bill has passed out of committee in the House, it remains yet to pass in the full House or Senate. Take action today:

- [Contact](#) your members of Congress and urge them to include [key reforms](#) to the Low-Income Housing Tax Credit (LIHTC) in any tax legislation so the nation's largest source of federal financing for affordable housing can better serve rural and tribal areas, as well as those most at risk of homelessness. These bipartisan reforms – included in the [“Affordable Housing Credit Improvement Act,”](#) endorsed by over 200 members of Congress – would:
  - Expand the Extremely Low-Income (ELI) Basis Boost for housing developments that set aside at least 20% of units for households with extremely low incomes or those experiencing homelessness.
  - Designate Tribal and rural communities as “Difficult Development Areas” (DDAs), which would make it more financially feasible for developers to build affordable homes in these areas.
- Additionally, any federal investment in “middle-income housing,” such as that included in the “DASH Act” ([S.680/H.R.6970](#)), would be a [wasteful and misguided](#) use of federal funds. To address housing costs for middle-income households, Congress should pass legislation incentivizing or requiring local and state governments to address restrictive zoning and land use policies that prevent the private sector from building homes and drive up the costs for all renters. Read more about the Middle-Income Tax Credit [here](#).

Read the “Tax Relief for American Families and Workers Act of 2024” framework announcement [here](#).

Read NLIHC's statement on the tax bill [here](#).

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## **HoUsed Campaign for Universal, Stable, Affordable Homes**

### **Representatives Hoyle and Carbajal Introduce “DASH Act”; NLIHC Continues to Oppose Wasteful MIHTC Proposal**

Representatives Val Hoyle (D-OR) and Salud Carbajal (D-CA) introduced the “Decent, Affordable, Safe Housing for All (DASH) Act” ([H.R.6970](#)) in the U.S. House of Representatives on January 11. The bill is companion legislation to another bill introduced in the U.S. Senate by Senator Ron Wyden (D-OR) in March 2023 (see [Memo, 3/13/2023](#)). The House bill includes



provisions that would provide critically needed resources to help struggling households. Yet the bill also includes other measures – such as a proposal to create a Middle-Income Housing Tax Credit (MIHTC) – that are misguided and wasteful. For more information on MIHTC, see NLIHC’s [factsheet](#) on the measure.

The “DASH Act” ([S.680](#)) includes several housing provisions that would help address America’s housing crisis. By fully funding rental assistance and investing robust resources in the national Housing Trust Fund, the bill would ensure that millions of households can afford their rent. The bill also includes an innovative proposal to create a new project-based renters’ tax credit that could be layered on to the Low-Income Housing Tax Credit (LIHTC) program to ensure that homes built with the tax credit are affordable to people living in poverty. Among other important reforms, the legislation would close loopholes in the LIHTC program that developers have exploited to convert federally assisted properties to market rate and prevent nonprofit organizations from preserving the properties as affordable.

However, the “DASH Act” would also create a new federal tax credit to incentivize developers to build and preserve market-rate apartments – housing that is affordable to families earning 100% or below of the area median income (AMI). NLIHC strongly opposes any efforts to create a tax credit for middle-income households, as there is no sound rationale for using scarce federal resources for this purpose. [Research](#) shows that middle-income families comprise less than 1% of those facing significant housing challenges, while 92.5% of these households have very low- or extremely low-incomes and would not be served by this new tax break for investors. At a time when there are more than four times as many homeless households as there are severely cost-burdened middle-income renter households, we must target federal funding to where it is most needed: making homes affordable for the lowest-income and most marginalized people.

To address the housing needs of middle-income households, Congress should instead incentivize or require state and local governments that receive federal transportation and infrastructure funding to eliminate restrictive zoning rules that increase the cost of development, limit housing supply for all renters, and reinforce segregation and structural racism in housing and other systems. Local communities can and must do their part in eliminating the exclusionary zoning policies that put pressure on middle-income renters in a handful of metro areas.

Read Representative Hoyle’s press release on the bill [here](#).

Read NLIHC’s MIHTC fact sheet [here](#).

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## **Recap of 1/16 National HoUsed Campaign Call**

NLIHC hosted a national HoUsed campaign call on January 16. We were joined by Jesse Rabinowitz, campaign and communications director at the National Homelessness Law Center, who provided a special update on a legal challenge involving the rights of people experiencing homelessness that will be considered by the U.S. Supreme Court. The case, *Johnson v. Grants Pass*, challenges legal precedent that prohibits the government from punishing people – through ticketing, arrest, or other actions – for sleeping outside when they have no safe alternative. Learn



more about the case and stay updated about mobilization efforts to safeguard the basic rights of people experiencing homelessness at: [johnsonvgrantspass.com](http://johnsonvgrantspass.com). A [recording](#) of the call, as well as the [presentation slides](#), are now available. The next national HoUsed campaign call will be held on February 12 from 2:30-3:30 pm ET. Register at: <https://tinyurl.com/ru73qan>

We also discussed Congress's progress toward enacting a final fiscal year 2024 spending bill, as well as the status of negotiations on Capitol Hill over a potential tax package that ultimately failed to include key reforms to the Low-Income Housing Tax Credit (LIHTC). In her update, NLIHC's Kim Johnson highlighted an upcoming Day of Action on January 25, hosted by NLIHC and our colleagues at the Campaign for Housing and Community Development Funding (CHCDF). Advocates around the country are encouraged to contact their members of Congress and demand they provide increased funding for affordable housing, homelessness, and community development services in any final bill. NLIHC's Noah Patton discussed disaster housing recovery efforts for the year ahead, including key legislation, and we received a field update from Will White of Hawai'i Appleseed.

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## HUD

### **NLIHC Prepares Sample Comment Letter for Responding to HUD's Proposed 30-Day Notice Rule**

NLIHC has prepared a [sample comment letter](#) for use by tenant leaders and other advocates to reply to HUD's [proposed rule](#) that would require a public housing agency (PHA) or owner of a property assisted with Project-Based Rental Assistance (PBRA) to provide a 30-day notice to a household before starting a formal judicial eviction procedure to terminate a lease for nonpayment of rent (see [Memo, 12/11/23](#)). The sample comment letter supports the proposed rule while also criticizing it for failing to include the Housing Choice Voucher (HCV) and Project-Based Voucher (PBV) programs. The sample letter also urges HUD to adopt six additional provisions that would greatly strengthen implementation of a final rule. NLIHC has also released [instructions for submitting comments](#). Comments are due by January 30.

For the purpose of the proposed rule, "PBRA" includes the following: Section 8 Project-Based Rental Assistance; various Section 202 Supportive Housing for the Elderly programs (Section 202/162 Project Assistance Contract, Section 202 Project Rental Assistance Contract [PRAC], and Senior Preservation Rental Assistance Contract Projects [SPRAC]); and two Section 811 Supportive Housing for Persons with Disabilities programs (Section 811 PRAC and Section 811 Project Rental Assistance Program [811PRA]).

The preamble to the proposed rule states that it would require the 30-day notice to include instructions that enable a tenant to clearly understand how to avoid commencement of a formal judicial eviction proceeding for nonpayment of rent. However, the proposed text for the public housing and PBRA programs do not provide sufficiently detailed instructions. According to the preamble, the instructions would also include the amount of rent owed, any other arrearages allowed by the HUD program, and the date by which the tenant must pay the rent and arrearages

to avoid an eviction filing in court. However, the proposed public housing regulations do not include such language.

The preamble states that the notice would also include information on how a tenant can recertify their income or request a minimum rent hardship exemption; and for public housing residents, the notice would include information on how they can request a change from flat rent to an income-based rent. However, the actual proposed texts for both programs merely provide regulatory citations instead of detailed, tenant-friendly information regarding recertifications, minimum rent hardship exemptions, or the process for requesting income-based rents.

The preamble merely “recommends” instead of “requiring” that PHAs and PBRA owners enter into a rental repayment agreement instead of obligating a tenant to provide a lump-sum payment for the total past due amount. The preamble, but not the text, reminds PHAs and owners of their legal obligation to provide the 30-day notice in accessible formats to ensure effective communication for people with disabilities and for people with limited English proficiency (LEP).

The preamble, but not the text of the proposed rule, also reminds PHAs and owners that the CARES Act 30-day notice to vacate is still in effect for CARES Act covered properties, which includes additional programs, such as the following: Housing Choice Vouchers, the Low-Income Housing Tax Credit (LIHTC) program, HOME Investment Partnerships (HOME), Housing Opportunities for Persons with AIDS (HOPWA), the national Housing Trust Fund (HTF), McKinney-Vento homelessness programs, VASH vouchers, Section 236 Multifamily, various Rural Development programs, and other programs. See the National Housing Law Project’s [“Enforcing the CARES Act 30-Day Eviction Notice Requirement”](#) for more details.

Read NLIHC’s sample comment letter at: <http://tinyurl.com/3c4mecc8>

Find NLIHC’s instructions for submitting comments at: <http://tinyurl.com/7yvdfdhu>

Read the proposed rule at: <http://tinyurl.com/mwksdcfs>

Find an easier-to-read version of the proposed rule at: <http://tinyurl.com/md7m5vuw>

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## **HUD Notice Provides Policy Guidance for Addressing Radon in Environmental Reviews**

HUD issued [Notice CPD-23-103](#) on January 11, clarifying its policy regarding addressing radon in the environmental review process pertaining to most HUD-assisted projects. The Notice states that radon must be “considered” when conducting contamination analysis required by HUD’s environmental review regulations 24 CFR parts 50 or 58. The Notice does not impose radon testing requirements, though it does include guidance on strategies for considering radon in site contamination analysis. The Notice also provides best practices for considering radon.

Radon is a radioactive gas found in nearly all soils that can diffuse into the air and enter buildings through cracks. Building materials and groundwater may also be sources of indoor

radon. Indoor air radon levels vary across the U.S. and from parcel to parcel due to differences in geology, climate, seasonal variation, building construction, and other conditions. Once inside a building, radon concentrations can reach high levels, regardless of the age, condition, or design of a building.

The most common way people are exposed to radon is simply by breathing indoors. Radon is the primary cause of lung cancer in non-smokers, generally due to long-term exposure to low or moderate radon levels in the home. Many radon-induced lung cancers can be prevented by testing and reducing radon levels in existing buildings and by using radon resistant construction techniques for new construction. The level of radon inside existing buildings can be reduced by installing and operating a radon reduction system that vents radon safely out of the building and removes radon gas under a home's foundation before it can enter the home.

When radon testing determines indoor radon levels at or above 4 pCi/L, a property's Environmental Review Record must include a mitigation plan that (1) identifies the radon level; (2) considers the risk to occupants' health; (3) describes the radon reduction system that will be installed; (4) establishes an ongoing maintenance plan; (5) establishes a reasonable timeframe for implementation; and (6) requires post-installation testing. Table 4 of the Notice indicates that radon testing and mitigation is an eligible program expense for most key HUD programs.

Notice CPD-23-103 takes effect 90 days after January 11. However, the Notice does not take effect until January 11, 2026, for Tribes, Tribally Designated Housing Entities, and the Department of Hawaiian Homeland recipients because HUD needs to provide additional support for radon programs serving these groups.

Read Notice CPD-23-103 at: <http://tinyurl.com/32n2rv3k>

Read more about healthy housing issues, including radon, on [page 6-1](#) of NLHC's 2023 *Advocates' Guide*.

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## **Tenant Protections**

### **CFPB Issues Advisory Opinions to Increase Background Screening Transparency for Tenants**

The Consumer Financial Protection Bureau (CFPB) issued two advisory opinions on January 11. The first opinion clarifies provisions of the "Fair Credit Reporting Act" (FCRA) related to consumer file disclosures for tenants, while the second prohibits background screening agencies from reporting sealed or expunged records.

FCRA controls access to consumer report information, including credit report and criminal records, and is meant to promote "accuracy, fairness, and privacy" for consumers. The advisory opinions address several issues consumer and tenant rights advocates have raised with the CFPB. The [first opinion](#) clarifies that consumers who request access to the files used in their screening reports should receive the files to which they are entitled without being required to use key words such as "request" or "complete file" to obtain the requested information. Historically,

credit reporting agencies (CRAs) have refused requests, or provided incomplete files, if a tenant requesting their file did not use certain key words in their request.

The opinion also requires that information provided to a consumer be in the same format as the information the CRA “provided or might provide to” a landlord, which will make it easier for tenants to interpret the information on their reports. Importantly, this change will make it easier for tenants to identify incorrect, incomplete, or inaccurate information and to discern what information may have led to a denial of residency. Finally, the first opinion notes that CRAs have an obligation to disclose the source of the information provided in consumer files, “both the original source and any intermediary [sources,]” used in compiling a report. This obligation will make it easier for tenants to identify and correct the source of incomplete, inaccurate, or outdated information.

The [second opinion](#) states that CRAs should not use expunged or sealed records, or records that have otherwise been legally restricted from public access, in their reports, nor should CRAs report on “arrests, criminal charges, eviction proceedings, or other court filings” without reporting the outcome of the filings. Moreover, the opinion states that CRAs must present information on court proceedings in such ways as make clear that “all stages relate to the same proceeding or case.” For example, reports often display multiple entries for the same case, which can give the appearance that a tenant has a long sheet of criminal charges, when in reality the report is simply listing multiple stages of the same court case.

Finally, the second opinion clarifies that CRAs should begin the seven-year period permitted for reporting evictions and non-conviction criminal records from the date of the event, rather than the date of disposition. For example, a CRA would only be permitted to report an arrest on someone’s record for seven years from the date of the arrest, rather than the date of the disposition.

Read the [first](#) and [second](#) opinions issued by the CFPB.

Learn more and read an analysis from the National Consumer Law Center on the opinions [here](#).

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## **Opportunity Starts at Home**

### **NRDC Releases Brief on Connections between Housing Justice, Health Equity, and Building Decarbonization**

Opportunity Start at Home (OSAH) campaign steering committee member Natural Resources Defense Council (NRDC) released an issue [brief](#) in collaboration with other environmental groups exploring how housing justice and health equity in building decarbonization promote improved climate, housing, and health outcomes. Because nearly one-third of greenhouse gas (GHG) emissions in the U.S are released by buildings, building decarbonization – which involves replacing fossil fuel appliances and making energy efficiency modifications – can help reduce GHG emissions significantly. Even so, while building decarbonization efforts are essential to addressing climate change, they often fail to consider the intersections between

decarbonization, health equity, and housing, thereby risking the perpetuation of existing health and housing disparities.

The brief reviews past discriminatory housing policies and practices that shaped current environmental inequities, highlights the evidence connecting poor housing quality and health disparities, and emphasizes the importance of centering the perspectives of the communities most adversely affected when developing building decarbonization policies. Doing so will support the formulation of policies that successfully slow climate change while simultaneously addressing longstanding health and housing disparities.

“Holistic building upgrades that are supported by government investment, center community leadership and engagement, and address affordability and health can both reduce climate emissions and significantly improve public health—with low income, Latino/a, and Black communities, manufactured home residents, renters, and others finally getting what they should have always been guaranteed: healthy and sustainable homes,” write the authors.

The brief is coauthored by the Building, Energy, Equity and Power Coalition (BEEP), a group of environmental justice organizations in California that represent and advocate on behalf of low-income people and communities of color and lead local equitable building decarbonization efforts in Los Angeles, the San Joaquin Valley, and the Bay Area.

Read the full brief [here](#).

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## **Housing Policy Forum 2024**

### **Register for NLIHC’s Housing Policy Forum 2024, March 19-21!**

[Register today](#) for NLIHC’s Housing Policy Forum 2024: An Unwavering Path Forward to Housing Justice! The 2024 Forum will feature conversations with administrative officials and key leaders in Congress, as well as an array of other compelling speakers and panelists. Participants will have the opportunity to engage with and learn from thought-leaders, tenant and community leaders, policy experts, researchers, and affordable housing practitioners who will discuss the state of the affordable housing and homelessness crisis in America and its solutions.

This year’s Forum will also feature an advocacy center, staffed by members of NLIHC’s team, who will provide tools, resources, and best practices to advance housing justice. The Forum will open with a keynote discussion with acclaimed civil rights attorney and scholar Sherrilyn Ifill and close with a keynote address by renowned author and journalist Jelani Cobb.

Additional Forum speakers will be announced in the coming weeks.

[Register for Housing Policy Forum 2024!](#)

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## **Reserve Your Hotel Room for Housing Policy Forum 2024 Today!**

NLIHC's Housing Policy Forum 2024 will take place from March 19-21 at the Hilton Washington DC Capitol Hill in Washington D.C. Forum attendees booking their room at the Hilton Capitol Hill Hotel between **now and February 22 will receive a discounted group rate.** However, reservations made after February 22 will be priced at the Hilton's standard rate and will be based upon availability. We urge all Forum attendees to [book your room](#) at the Hilton Capitol Hill today!

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## **Research**

### **Crime-Free Housing Policies in California Associated with Significant Increases in Executed Evictions**

A new report from the RAND Corporation, "[An Evaluation of Crime-Free Housing Policies](#)," indicates that crime-free housing policies (CFHPs) adopted by municipalities in California may not reduce crime as intended and are instead linked to statistically significant increases in executed (or enforced) evictions. CFHPs aim to reduce crime by, e.g., screening out potential tenants with histories of criminal justice involvement and empowering landlords to evict tenants accused of criminal activity. In 2019, one in five California municipalities had adopted CFHPs, exposing an estimated 4.5 million renters to these policies. Among the municipalities examined in the paper, those with CFHPs were more likely to have a greater proportion of Black residents and lower-income residents, suggesting that low-income renters of color may be disproportionately impacted by CFHP-related increases in enforced evictions. As of this month, California has become the first state to ban local governments from imposing CFHPs, and the authors of the report [advocate](#) for more states to follow suit.

The researchers evaluated the association between CFHPs and both crime rates and enforced evictions in California municipalities. Public records were used to identify municipalities with CFHPs. Information on crime rates was pulled from arrest records obtained from the Uniform Crime Reporting (UCR) Program. Data on writs of execution were obtained from local sheriffs' offices. Additionally, the researchers interviewed 10 organizations that assist individuals who have been negatively impacted by CFHPs to understand how CFHPs are enforced and how they impact renters.

The researchers found that municipalities in which CFHPs were enacted between 2010 and 2019 did not have higher historic crime rates than municipalities without CFHPs, nor were crime rates in municipalities with CFHPs significantly impacted by the policies once enacted. Using UCR data on total crime rates, violent assault rates, and burglary rates, the researchers compared 34 CFHP municipalities with 222 municipalities without CFHPs. They found that municipalities that eventually adopted CFHPs between 2010 and 2019 and municipalities that did not adopt CFHPs had similar crime rates between 2000 and 2010, signaling that CFHPs were not adopted in response to disproportionate changes in crime among municipalities. Comparing crime data from 2009 and 2019 in municipalities with and without CHFHPs, the authors found no statistically significant difference in overall mean crime rates or the rate for any particular crime.



To examine the association between CHFPs and evictions, the researchers gathered data on evictions executed (or enforced) between 2017 and 2021 in three municipalities – Fremont, Hayward, and Riverside – and San Diego County. These locations were the only CFHP areas for which the addresses of certified CFHP properties were available in 2019. Using a spatial first differences (SFD) model to estimate the impact of CFHPs on executed evictions within neighborhood blocks, the authors found that neighborhood blocks with CFHP units had 21.2% more executed evictions than neighborhood blocks without CFHP units. This finding is particularly troubling, given that neighborhood blocks containing CFHP-covered properties were found to have a significantly larger proportion of people of color and lower-income households than those not covered by CFHPs; thus, CFHP-related increases in evictions likely had a substantial impact on renters of color and lower-income renters. The researchers warn that municipalities with CHFPs are at risk of violating the federal “Fair Housing Act” if a disproportionate number of renters of a protected class (i.e., one defined by race or ethnicity) are denied housing or evicted due to CFHPs.

Additionally, the researchers interviewed staff from 10 organizations that assist individuals who have been negatively impacted by CFHPs to understand how these policies are enforced and the negative outcomes associated with CFHP evictions. The interviews revealed that individuals who are evicted from CFHPs often do not understand the reason for the underlying crime violation and therefore face difficulties challenging the eviction. Although California’s “Tenant Protection Act” requires landlords to notify tenants of the exact lease violation giving rise to the eviction, many exceptions exist that could apply to CFHP units, including cases in which the tenant lived in the rental unit for less than a year or in which housing is designated for low-income individuals. The authors note that CFHPs allow landlords to exercise a high degree of subjectivity in determining what constitutes criminal activity and therefore a lease violation, leaving tenants ill-equipped to defend themselves against eviction without adequate information about the underlying violation. The authors recommend that states with CFHPs enact legislation requiring that *all* tenants are adequately informed of the specific cause of their CFHP violation, without exceptions.

Interviewees also discussed how evictions from CFHPs create increased barriers to finding housing and lead to worsened housing conditions, such as poorer quality housing, overcrowding, and even homelessness. The interviews revealed that renters with prior criminal involvement are harmed most by CFHPs because many landlords and property managers will automatically screen out individuals with past infractions, including minor infractions such as public urination or marijuana possession, which can show up on a background check for years.

Given that CFHPs appear to have no significant impact on crime reduction, significantly increase evictions, and disproportionately impact renters of color and low-income renters in the locations studied, the authors recommend that municipalities reconsider maintaining or adopting CFHPs. If municipalities choose to maintain CFHPs, the authors call for state legislation that ensures that tenants are informed of the exact violation giving rise to an eviction, as well as the creation of a right to legal representation to ensure more equitable outcomes.

Read the report at: <https://bit.ly/3u0eVIV>

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## From the Field

### Santa Barbara City Council Passes Tenant Protections Ordinance, Leaves Out Rent Stabilization

The City of Santa Barbara, California, [passed](#) several new protections for renters on January 9. The tenant protections package enacted by the city seeks not only to rectify longstanding power imbalances between landlords and tenants but also to address a growing housing affordability crisis.

The Santa Barbara City Council passed, in a 6-1 vote, a measure that will allow tenants who have faced a no-fault eviction from their residence due to housing renovations, known also as “renovictions,” the “[right of first refusal](#),” which grants tenants the ability to re-rent their unit once renovations are completed. [The right of first refusal was originally passed by the county seat in July 2023](#); however, the Santa Barbara City Council voted to implement such protections for renters citywide to ensure that tenants at both the city- and county-level receive the same coverage.

In addition, city councilmembers voted to enforce protections for tenants who may face harassing and retaliatory behavior from landlords and property owners, imposing financial consequences on individuals who engage in such behavior towards tenants of up to \$1,000 per violation. The vote, which came after four hours of internal discussion, ultimately ended with the Council choosing to forego a third amendment and abandoning tenant advocates’ top priority: rent stabilization for the city’s lowest-income renters.

“Tenants – especially the working class, people of color, the disabled, the undocumented, survivors of domestic violence, and some of our most vulnerable neighbors – continue to have a massive dollar sign bullseye on our backs,” said Stanley Tzankov, cofounder of the Santa Barbara Tenants Union. “Sadly, a majority of our elected officials continue to fail in protecting its people and our housing affordability more broadly. There are a lot of great provisions we won – putting a halt on harassment from landlords and limiting renovations to just safety and habitability reasons, not elective and cosmetic changes – but we desperately need a rent cap once those repairs are done. Our city and region deserve these long overdue, broadly popular, policy best practices to rein in bad faith landlords, especially the increasingly common corporate flippers, and put an end to the predatory practice of renovictions. And we need to limit runaway rent increases more broadly with rent stabilization efforts and bold social housing production.”

Renovictions typically occur when a landlord or property owner claims that they are making improvements to a residential unit and that they will need the property vacated, legally displacing the tenant from their home through the eviction process. In this way, the landlord can make minor repairs to the unit (if any) before putting the residence back on the market at a higher rental rate. The renoviction process, which impacts the entire rental market, has contributed to skyrocketing rental rates in Santa Barbara and [has in turn helped make the city one of the most expensive localities in the United States](#). Between 2021 and 2022, rental rates in Santa Barbara [increased by as much as 9%](#) in some parts of the city, bringing the average rent for a one-bedroom apartment to \$2,935.

Corporate landlords are [typically](#) the most common group to engage in renoventions. In 2022, Santa Barbara saw \$141 million in [sales](#) to larger real estate companies involving 20 apartment buildings. The sale of these units led to hundreds of individuals [being evicted](#) from their properties at the same time. Santa Barbara has a 1.7% vacancy rate, and more than 60% of its residents are renters, meaning tenants have limited housing options once an eviction has been filed against them.

In response to the wave of renoventions, lawmakers in Santa Barbara attempted to reduce evictions over the last year by passing a number of tenant protections at both the city and county levels. In July 2023, the Santa Barbara County Board of Supervisors [passed](#) “just cause” eviction standards for tenants, ensuring that a tenant cannot be unlawfully evicted from their residence without good cause. Under the law, a landlord or property owner must also offer a tenant a “no-fault” reason for eviction in cases involving renovation, indicating the cause of the eviction filing was not the tenant’s actions, and absolving the tenant of wrongdoing while allowing them to assert an affirmative defense in court.

The law passed by the County Board of Supervisors also gives tenants the right to renew their lease for a minimum of one year once their landlord has completed remodeling their unit and requires landlords to make certain that their remodeling brings a unit up to local health and safety codes.

The campaign to strengthen Santa Barbara’s city-level tenant protections began in October 2023, when the City Council [proposed](#) the enactment of a virtual verbatim copy of the county’s laws, plus a provision that adds rental increase caps to the ordinance. Currently, the State of California has rent stabilization measures in place; however, the protections ensured by “[Assembly Bill 1482](#)” – which caps rental increases at 10% annually, or 5% plus the change in cost of living – will only be in place for 10 years and exclude certain properties from coverage ([see Memo, 9/23/19](#)).

Tenant organizers in Santa Barbara have long [advocated](#) for rent stabilization. Housing advocates across the city and region have called specifically for localized rental caps (in conjunction with the state’s temporary rent stabilization protections) to deal with the steady rise of renoventions that have been occurring en masse since the start of the COVID-19 pandemic. For example, a coalition led by the [Central Coast Alliance United for a Sustainable Economy \(CAUSE\)](#) successfully organized to enact rent stabilization in nearby Oxnard, making Oxnard the sixth-largest city in California to do so. in the nearby city of Oxnard, making Oxnard the sixth-largest city in California to do so.

Ultimately, the proposed rent cap amendment was not passed by the Santa Barbara City Council, even after [more than three months of delayed voting](#), on the grounds that there were insufficient data available to assess the percentage increase by which rent should be capped per year. Still, advocates and tenant leaders plan to continue to push the City Council to enact rent stabilization at the city level.

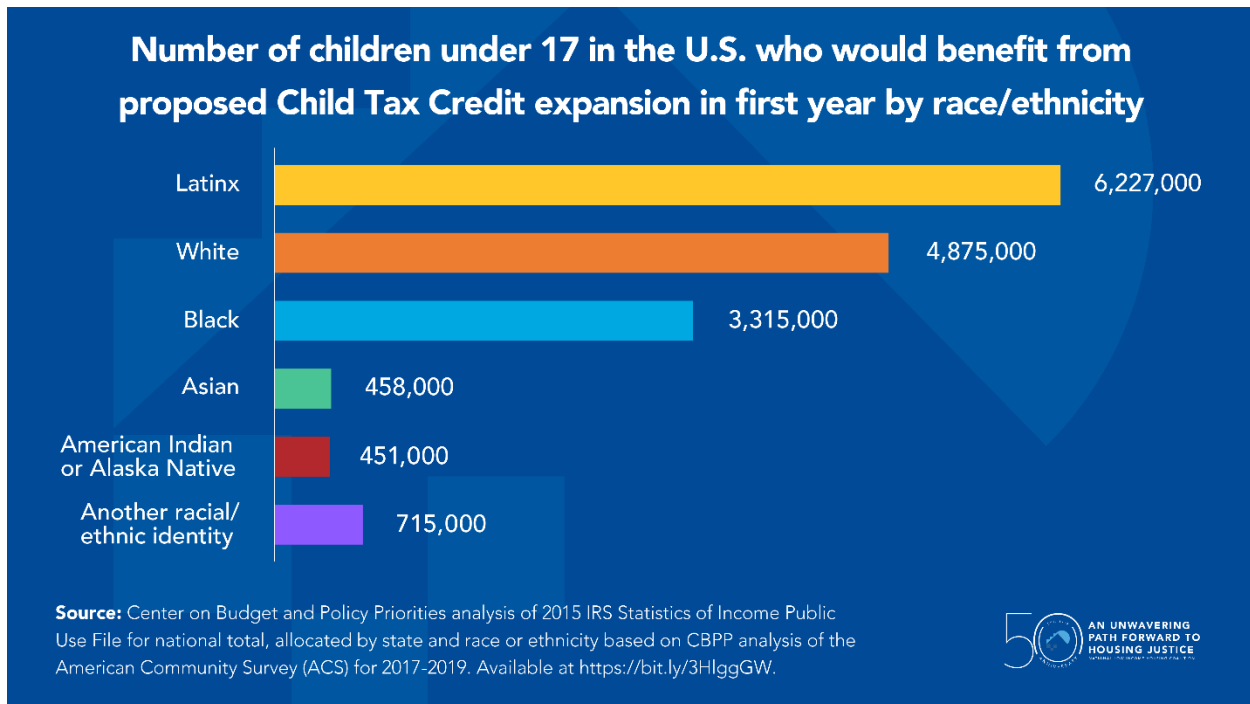
To read more about Santa Barbara’s new tenant protections, visit the Santa Barbara City Council website [here](#).

To learn more about the Santa Barbara Tenants Union, visit its website [here](#).

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## Fact of the Week

### More Than One in Five Children under 17 Would Benefit from Expansion of Child Tax Credit during First Year



Source: Center on Budget and Policy Priorities analysis of 2015 IRS Statistics of Income Public Use File for national total, allocated by state and race or ethnicity based on CBPP analysis of the American Community Survey (ACS) for 2017-2019. Available at: <https://bit.ly/3HlggGW>

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## NLIHC Careers

### NLIHC Seeks Research Analyst

NLIHC seeks a research analyst to further the coalition's research on the housing needs of low-income renters and policy responses. The analyst will work with other members of the NLIHC research team to initiate and carry out research, including data collection, analysis, and dissemination.

#### Responsibilities:

- Implement quantitative and/or qualitative research, including data collection and analysis.

- Maintain and expand NLIHC holdings of and access to major datasets that inform NLIHC campaigns and partners.
- Assist other NLIHC staff and interns with data usage.
- Write reports that communicate NLIHC research to the general public.
- Disseminate NLIHC research to the general public, members, and partners through written reports and blogs, visualizations, and other means.
- Participate in other research, as assigned.
- Contribute to NLIHC's weekly e-newsletter *Memo to Members & Partners* by identifying and summarizing new research relevant to NLIHC members.
- Prepare information and position papers as required to meet NLIHC's goals and objectives.
- Represent NLIHC with other partners through participation in working groups and advisory committees.
- Public speaking at meetings and conferences in DC and around the country, with a priority for NLIHC member organizations.
- Respond to requests for information from NLIHC members, members of the media, and the public.
- Participate in NLIHC staff meetings, staff training, working groups, and other events.
- Other duties as assigned.

### **Qualifications:**

Applicants should have a bachelor's degree (master's degree preferred) and at least one year of experience in research and/or public policy (three years of experience for senior research analyst position). Applicants should have a commitment to social justice and some knowledge of affordable housing, homelessness, or fair housing policies. Candidates should have strong analytical, writing, and editing skills, oral and interpersonal communication skills, organizational skills, and attention to detail. Applicants should also be proficient in the Microsoft Office suite and optimally statistical software like SPSS, STATA, or R. GIS experience also a plus.

### **How to Apply:**

An equal opportunity, affirmative action employer, NLIHC offers a competitive salary and benefits package. Interested candidates should submit a resume, cover letter with salary requirement, and two writing samples to Millen Asfaha, Operations Coordinator, at: [masfaha@nlihc.org](mailto:masfaha@nlihc.org).

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## **NLIHC Seeks Data Systems Coordinator**

NLIHC seeks a data systems coordinator to ensure effective and efficient organization-wide use of Salesforce, related data, and integrated platforms to support the organization's fundraising, membership, and advocacy initiatives and boost staff and organization efficiency and productivity. The data systems coordinator reports to the director of operations and works collaboratively with all Salesforce users across the organization.

**Responsibilities:**

- Manage day-to-day administration of the Salesforce Nonprofit CRM, supporting 10+ users across several teams.
- Strategize with teams about the most effective use of data systems and make database customizations to streamline workflows, making Salesforce the central hub for the organization.
- Oversee integrations between Salesforce and other platforms – including Mailchimp, GiveSmart, Phone2Action, and Zoom – using declarative API services (like Zapier) and other solutions.
- Customize Salesforce objects, fields, flows, and lists.
- Build custom reports, forms/surveys, and dashboards specific to job functions.
- Generate process maps for workflows related to membership, donations, grants, and events.
- Manage data integrity, data reporting and dashboards, and standard data processes within the system.
- Conduct data audits, update required information, and eliminate duplicate and/or outdated records.
- Maintain control of access rights, security settings, and user privileges.
- Provide organization-wide training on the importance of Salesforce as a central hub for the organization and how staff work is connected, including non-CRM users. Provide additional training to CRM users and meet regularly to discuss best practices and troubleshoot issues.
- Serve as liaison to all vendor solutions.
- Identify opportunities for growth and understand how to make those changes happen.
- Stay abreast of new platform features and determine value to organization, update database, and train staff as appropriate.
- Explore future options for vendors as necessary.
- Coordinate future special projects, including integration of Salesforce with Sage Intacct Accounting software and managing email operations related to building email subscriber lists and segments of contacts.
- Other duties as assigned.

**Qualifications:**

This is a full-time position in Washington, DC. Applicants must have a strong commitment to social justice and NLIHC's mission. Other requirements include:

- Bachelor's degree, or equivalent combination of education and experience.
- Minimum two years' experience supporting Salesforce, preferably in a non-profit environment, with experience creating and managing flows, donor records, revenue tracking, campaigns, custom objects, and the integration of other platforms.
- Strong project management, data management, and training and support skills.
- Strong written and oral communication skills.
- Strong computer and technical skills, including advanced MS Excel Skills.

- Ability to develop strong relationships and effectively work with individuals across all levels and departments.
- Effective time management, organization, and leadership skills.
- People-oriented person with customer-service approach to supporting colleagues who can work collaboratively to understand/address data-related concerns of various teams.
- Resourceful and willing to learn, constantly thinking and learning about innovation and process.
- Ability to be innovative, identify areas of improvement, and grow and change as the organization changes.

An equal opportunity, affirmative action employer, NLIHC offers a competitive salary and a generous benefits package. The salary range for this position is \$67,000 to \$90,000.

### **How to Apply:**

Send a cover letter and resume to: Director of Operations Lakesha Dawson (NLIHC, 1000 Vermont Avenue, N.W., Suite 500, Washington, DC 20005) at [ldawson@nlihc.org](mailto:ldawson@nlihc.org). The cover letter should describe the candidate's interest in and relevant experiences for the position and include salary requirements. Please also include names and contact information for at least three people serving as candidate references. (NLIHC will not contact references before consulting with the candidate.)

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## **NLIHC Seeks Disaster Housing Recovery Policy Coordinator**

NLIHC seeks a disaster housing recovery policy coordinator responsible for identifying, analyzing, advocating for, and engaging the Coalition's membership and network in actions on federal policy and regulatory activities related to the Coalition's mission and priorities, especially in the realm of disaster housing recovery. The disaster housing recovery policy coordinator will report to the manager of disaster recovery.

### **Responsibilities:**

The disaster housing recovery policy coordinator will:

- Monitor legislative, regulatory, and administrative developments, as well as other activities or events of interest on Capitol Hill and at HUD, the Federal Emergency Management Agency (FEMA), and other relevant agencies; ensure that local partners and the NLIHC-led Disaster Housing Recovery Coalition (DHRC) are apprised of key developments and events.
- Monitor disaster housing recovery efforts by maintaining frequent contact with local partners; hold regularly scheduled calls for local partners about implementation issues.
- Advocate for DHRC and Coalition positions before members of Congress and the administration; prepare letters, visits, phone calls, and e-mails to congressional members and their staff.

- Develop materials that translate pending proposals and actions into accessible and understandable formats for DHRC members and partners; respond to requests for information from members and other network participants.
- Help facilitate communications and education with members of Congress and the administration by drafting letters, scheduling, and participating in meetings, and leading conference calls, and preparing and sending communications to members, administration officials, and their staffs.
- Represent NLIHC before selected national partners; participate in the planning and implementation of NLIHC's Disaster Housing Recovery Coalition.
- Assist in coordinating regular DHRC meetings; coordinate and facilitate working group meetings, prepare materials, and make presentations; attend meetings and events of other coalitions.
- Work together with NLIHC field staff and DHRC members in impacted communities to stay abreast of disaster recovery issues and other housing concerns.
- Research and prepare articles for NLIHC's Memo to Members and Partners e-newsletter, including updates on Capitol Hill, HUD, and FEMA, through web-based and other research and attendance at hearings and briefings.
- Represent NLIHC at meetings and conferences in Washington, DC, and across the nation.
- Plan and implement briefings, dialogues, and other informational forums on issues related to DHRC priorities and initiatives.
- Monitor, and provide updates for, the Coalition website. Attend (and report on, as requested) all meetings of the Board of Directors; participate in staff meetings, trainings, and events.
- Participate in the planning and implementation of all aspects of Coalition's annual policy forum, including speaker recruitment.
- Other duties as assigned.

### **Qualifications:**

Requirements include a bachelor's degree (master's degree or law degree preferred). A degree in public policy, public administration, emergency management, or related area is a plus. Applicants should have a commitment to social, racial, and housing justice and some knowledge of the fundamentals of affordable housing, homelessness, disaster recovery, environmental justice, or social service delivery. Candidates should be able to work in a diverse, high-paced environment and have strong writing and editing skills, oral and interpersonal communications skills, organizational skills, and attention to detail. Applicants should be proficient in the Microsoft Office suite and social media platforms.

An equal opportunity, affirmative action employer, NLIHC offers a competitive benefits package. This is a full-time, two-year grant-funded position (with the possibility of extension) located in Washington, DC. The salary range is \$67,000 to \$90,000.

### **How to Apply:**



Interested candidates should submit a resume, cover letter, and two writing samples to Sarah Saadian, senior vice president of public policy and field organizing, and Noah Patton, manager of disaster recovery, at: [ssaadian@nlihc.org](mailto:ssaadian@nlihc.org) and [npatton@nlihc.org](mailto:npatton@nlihc.org)

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## NLIHC in the News

### NLIHC in the News for the Week of January 14

The following are some of the news stories to which NLIHC contributed during the week of January 14:

- “Bipartisan tax deal could lead to 200,000 new affordable rental units. It’s a ‘modest and important’ effort, expert says” *MarketWatch*, January 16 at: <https://on.mktw.net/3SqnmAf>
  - “Child tax credit revived under proposal in Congress” *Route Fifty*, January 16 at: <https://bit.ly/3SqyGMY>
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## NLIHC News

### Where to Find Us – January 22

- [Wisconsin Council on Physical Disabilities Quarterly Meeting](#) – Virtual, January 25 (Courtney Cooperman)
  - [United Way National ALICE Summit](#) – New Orleans, LA, January 30-31 (Andrew Aurand)
  - [Partnership for Strong Communities Forum](#) – Hartford, CT, February 1 (Lindsay Duvall)
  - “Social Justice” course, University of Rhode Island – Virtual, February 6 (Lindsay Duvall)
  - CORES Webinar: Initiatives to Help Support Civic Engagement – Virtual, February 14 (Courtney Cooperman)
  - [Neighborworks Training Institute](#) – San Francisco, CA, February 26-27 (Sid Betancourt)
  - [YIMBYtown 2024](#) – Austin, TX, February 26-28 (Courtney Cooperman)
  - [Arizona Housing Coalition Conference](#) – Mesa, AZ, February 27 (Lindsay Duvall)
  - [Housing California 2024 Annual Conference](#) – Long Beach, CA, March 6-8 (Sarah Saadian)
  - “Justice and Housing in America” course, Binghamton University – Virtual, April 10 (Lindsay Duvall)
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## NLIHC Staff

Sarah Abdelhadi, Senior Research Analyst  
Meredith Abel, Research Intern

Lindsey Aramah, Communications Intern  
Andrew Aurand, Senior Vice President for Research, x245  
Sidney Betancourt, Project Manager, Inclusive Community Engagement, x200  
Victoria Bourret, Project Manager, State and Local Innovation, x244  
Jen Butler, Vice President, External Affairs, x239  
Alayna Calabro, Senior Policy Analyst, x252  
Matthew Clarke, Director, Communications, x207  
Courtney Cooperman, Project Manager, Our Homes Our Votes, x263  
Lindsay Duvall, Senior Organizer for Housing Advocacy, x206  
Dan Emmanuel, Manager, Research, x316  
Ed Gramlich, Senior Advisor, x314  
Sarah Gallagher, Vice President, State and Local Policy Innovation, x220  
Danita Humphries, Senior Executive Assistant, x226  
Nada Hussein, ERASE Project Coordinator, x264  
Kim Johnson, Public Policy Manager, x243  
Kayla Laywell, Housing Policy Analyst, x231  
Mayerline Louis-Juste, Senior Communications Specialist, x201  
Steve Moore Sanchez, Development Coordinator, x209  
Khara Norris, Vice President of Operations and Finance, x242  
Noah Patton, Manager, Disaster Recovery, x227  
Mackenzie Pish, Research Analyst  
Ikra Rafi, Creative Services Manager, x246  
Benja Reilly, Development Specialist, x234  
Gabrielle Ross, Project Manager, Diversity, Equity, and Inclusion, x208  
Sarah Saadian, Senior Vice President for Public Policy and Field Organizing, x228  
Brooke Schipporeit, Director, Field Organizing, x233  
Lauren Steimle, Web/Graphic Design Specialist, x246  
Julie Walker, OSAH Campaign Coordinator  
Chantelle Wilkinson, OSAH Campaign Director, x230  
Renee Willis, Senior Vice President for Racial Equity, Diversity, and Inclusion, x247  
Diane Yentel, President and CEO, x225