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Coronavirus, Disasters, Housing, and Homelessness – Highlights

Congressional Leaders Announce Intent to Begin Budget Reconciliation Process for Coronavirus Relief Package

Senate Majority Leader Chuck Schumer (D-NY) and House Speaker Nancy Pelosi (D-CA) signaled on January 28 they would begin putting together a “shell” budget resolution with reconciliation instructions for the next coronavirus relief package. The House is expected to introduce its resolution today (February 1), with the goal of beginning committee markups by the week of February 8.

The budget resolution is expected to contain topline funding numbers for relevant committees, with total funding not exceeding the \$1.9 trillion over 10 years established in President Biden’s coronavirus relief proposal. Majority Leader Schumer stated the Senate would begin the process of drafting its budget resolution with reconciliation instructions as early as this week. The Senate resolution would likely match the House resolution, to avoid the laborious process of merging two disparate bills. Using budget reconciliation would allow the aid package to pass the Senate with a simple majority of 51 votes rather than the 60 votes typically required in the chamber.

Despite preparing for reconciliation, top Democrats in Congress maintain that they still hope to reach bipartisan agreement. A group of 10 Republican senators plan to unveil a \$600 billion relief proposal this week, outlining their opening bid for a possible bipartisan agreement. If all 10 Republicans agree to a COVID relief bill, the legislation could pass under regular order rather than using the budget reconciliation process. It is unclear, however, whether congressional leaders will engage in bipartisan negotiations; the Republican proposal is significantly smaller in scope than President Biden’s plan, and it reduces funding for several top Democratic priorities, including state and local aid, direct stimulus checks, and unemployment insurance.

Any COVID relief package must include essential housing and homelessness resources, including [NLIHC’s top priorities](#): an extended, strengthened and enforced eviction moratorium; \$30 billion in emergency rental and utility assistance to help eliminate back rent owed by renters; \$28 in housing vouchers to ensure continued housing stability; \$6 billion to prevent and respond to outbreaks among people experiencing homelessness; and \$44 billion to help transition individuals living in non-congregate shelter to permanent housing, rather than to allow them to be pushed back into homelessness.

Congressional negotiators and the president aim to pass the relief bill before March 14, when expanded unemployment benefits from the last relief package expire.

CDC Extends Eviction Moratorium; Improvements and Additional Resources Needed

The Centers for Disease Control and Prevention (CDC) issued [an order](#) on January 29 extending the federal moratorium on evictions for nonpayment of rent through March 31, following a directive issued by President Biden on his first day in office.

The eviction moratorium, previously slated to expire on January 31, will help keep millions of renters stably housed during the pandemic. Without this critical action by the Biden administration, tens of millions of renters would have been at immediate risk of losing their homes this winter, with negative consequences for individuals, families, communities, and our nation’s public health and economy.

While the steps taken by the CDC are critical, they are not enough to protect renters. In addition to extending the eviction moratorium, the Biden administration must strengthen and enforce the order. The existing order has significant shortcomings that undermine its public health benefits, as outlined in a letter to the president by

[NLIHC and 2,000 national, state, and local organizations and elected officials](#). NLIHC has [requested a meeting](#) with CDC Director Rochelle Walensky to discuss these and other necessary reforms.

President Biden and Treasury Secretary Janet Yellen must also [rescind](#) a recent Trump administration emergency rental assistance FAQ and reissue new guidance to ensure that \$25 billion in emergency rental assistance quickly reaches those renters most at risk of eviction. The Biden administration must also continue to work with Congress to enact a comprehensive COVID-19 relief package that includes [NLIHC's top housing and homelessness priorities](#). The COVID-19 relief package proposed by President Biden includes much needed \$30 billion in emergency rental and utility assistance and \$5 billion to prevent and respond to outbreaks among homeless populations, but [additional resources and provisions](#) are needed to fully address America's urgent health and housing needs.

Read NLIHC President and CEO Diane Yentel's statement on the CDC's action to extend the eviction moratorium here: <https://bit.ly/3iY6Yng>

Members of Congress Ask Treasury and HUD to Rescind Emergency Rental Assistance FAQ

Representatives Alexandria Ocasio-Cortez (D-NY) and Jamaal Bowman (D-NY) led 52 of their House colleagues in a January 28 [letter](#) to Treasury Secretary Janet Yellen, HUD Secretary-designate Marcia Fudge, and Acting HUD Secretary Matt Ammon urging the agencies to rescind and replace a [problematic FAQ](#) on the administration of the recently enacted \$25 billion for emergency rental assistance (ERA). NLIHC sent a similar [letter](#) on January 21.

The congressional letter notes the Trump-administration FAQ establishes an overly burdensome application process, including documentation requirements that extend beyond the requirements instituted in the relief legislation. In addition to increasing the burden on tenants, these requirements will increase the administrative burden for ERA program administrators, extend processing times, and delay the administration of desperately needed funds.

The letter also states the FAQ runs counter to best practices and lessons learned from program administrators who led the distribution of ERA funds from the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), noting that “the new rules for the ERA program should be consistent with the input of national, state, and grassroots housing organizations working to ensure the poorest among us have stable and affordable housing.” NLIHC worked with the representatives' offices to draft the letter.

Read the congressional letter at: <https://tinyurl.com/yxnk8srq>

Read NLIHC's letter at: <https://bit.ly/3tgfJxJ>

Coronavirus, Disasters, Housing, and Homelessness – Other

Join NLIHC's National Call on Coronavirus, Disasters, Housing, and Homelessness Today at 2:30 pm ET

[Join](#) today's (February 1) national call on coronavirus, disasters, housing, and homelessness at 2:30-4 pm ET. We will be joined by Mark Zandi, chief economist at Moody's Analytics, to discuss the latest estimate of rent arrears. Kay Jowers of Duke University will share a recent study on the impacts of utility disconnection and eviction moratoriums on COVID infections and mortality.

We will also discuss state and local strategies to protect tenants during the pandemic; the CDC’s extended eviction moratorium and the additional improvements and enforcement needed; Emergency Rental Assistance (ERA) disbursements and guidance; updates from the field; and the latest from Capitol Hill on negotiations for a new COVID relief bill.

Register for the national call at: <https://tinyurl.com/ru73qan>

See the full agenda [here](#).

Recording Available of NLIHC’s January 25 National Call on “Coronavirus, Disasters, Housing, and Homelessness”

During the most recent national call on [coronavirus](#), [disasters](#), [housing](#), and [homelessness](#), we were joined by Representative Maxine Waters (D-CA) and Senator Mark Warner (D-VA), who discussed the prospects of new coronavirus relief legislation and how the 117th Congress will work with the new administration to enact President Biden’s legislative agenda.

NLIHC President and CEO Diane Yentel provided an update on the extension of the CDC’s moratorium on evictions for nonpayment of rent and an overview of when states and localities could expect the \$25 billion in emergency rental assistance enacted in the latest coronavirus relief package to start being distributed.

We received field updates from the [Colorado Coalition for the Homeless](#), [Idaho Asset Building Network/Idaho Voices for Children](#), and the [Chicago Anti-Eviction Campaign](#). NLIHC’s Vice President of Public Policy Sarah Saadian gave a legislative update, highlighting ongoing negotiations over President Biden’s coronavirus relief proposal (see Memo, [1/19](#)) and the possibility of a relief package being enacted through budget reconciliation.

NLIHC hosts national calls on coronavirus, disasters, housing, and homelessness every week. On today’s call, we will be joined by Mark Zandi, chief economist at Mood’s Analytics, to discuss the latest estimate of rent arrears, and Kay Jowers of Duke University to share a recent study on the impacts of utility disconnection and eviction moratoriums on COVID infections and mortality. Register for today’s call (Monday, February 1 at 2:30 pm ET) at: <https://tinyurl.com/ru73qan>

Watch a recording of the January 25 call at: <https://tinyurl.com/y3k6md5v>

Access presentation slides at: <https://tinyurl.com/yxdd5hz2>

Additional Coronavirus Updates – February 1, 2021

National Updates

Department of Housing and Urban Development

HUD released a [statement](#) on the swift action it has taken in the first week of the Biden administration to address the immediate housing needs during the COVID-19 pandemic while laying the groundwork to address the nation’s larger, systemic housing challenges.

The Senate Committee on Banking, Housing, and Urban Affairs on January 28 held the [confirmation hearing](#) for HUD Secretary-designate Marcia Fudge. “It bears mentioning, particularly in this moment of crisis, that

HUD – perhaps more than any other department – exists to serve the most vulnerable people in America,” [said Representative Fudge](#) (D-OH). Read NLIHC’s [statement](#) on Representative Fudge’s nomination.

Acting HUD Secretary Matthew Ammon on January 21 [announced](#) that HUD has extended the Federal Housing Administration eviction and foreclosure moratorium until March 31 and extended the Public and Indian Housing eviction and foreclosure moratorium until March 31. The Federal Housing Administration (FHA) [announced](#) on January 26 that it will execute the Biden administration’s request to extend the deadline for borrowers with FHA-insured mortgages through March 31, 2021.

Advocacy and Research

[Human Rights Watch](#) released an FAQ document on the impact of the COVID-19 pandemic on tenants’ right to housing and the current state of pandemic-related tenant protections in the U.S. The FAQ highlights NLIHC’s research on the looming eviction crisis and the need for emergency rental assistance.

A new [study from the National Bureau of Economic Research](#) finds that eviction moratoriums reduce COVID-19 infections by 3.8% and deaths by 11%. Moratoriums on utility disconnections reduce COVID-19 infections by 4.4% and mortality rates by 7.4%.

[Truthout](#) reports that tenant organizing has exploded across the country in response to the COVID-19 housing crisis. A growing collection of organizers are approaching eviction prevention as a community-based solution to the impending eviction crisis.

The [Legal Services Corporation](#) (LSC) released a [research brief](#), the first in a yearlong study on the eviction crisis in the U.S. The brief provides an overview of the legal eviction process through the view of a single jurisdiction: Shelby County, Tennessee. LSC will soon release another brief examining the effects of pandemic and eviction moratoriums at the state and local level. Learn more about the [nationwide LSC eviction study](#).

Reporting

[CNBC](#) reports on a [new analysis](#) from Mark Zandi, chief economist at Moody’s Analytics, and Jim Parrot, a fellow at the Urban Institute, demonstrating that nearly 20% of renters in the U.S. are behind on their payments. The findings show that renters owe an astonishing \$57.3 billion in back rent, with the average renter owing \$5,600 in rent and being nearly four months behind. The article discusses the [letter](#) NLIHC and more than 2,000 national, state, and local organizations and elected officials sent to President Biden, calling on the administration to strengthen and enforce the federal eviction moratorium.

NLIHC President and CEO Diane Yentel [discusses](#) the Treasury Department’s FAQ on the \$25 billion rental assistance program, noting that NLIHC is urging Secretary Janet Yellen to rescind the guidance. “It is unfortunately and unnecessarily restrictive. It is requiring localities to have burdensome documentation, including some that could do long-term harm to some tenants, like requiring eviction notices in hand before people can get those funds,” Diane said.

Sarah Saadian, NLIHC vice president of public policy, spoke to [Business Insider](#) on the importance of strengthening and enforcing the CDC eviction moratorium, the public health impacts of eviction, and the critical need to ensure emergency rental assistance and other resources are distributed equitably.

[Wired](#) explores the lasting impact of COVID-19 on homelessness in the U.S., noting that advocates are hopeful that pandemic-related efforts to address the health and housing needs of individuals experiencing homelessness will be expanded and improved.

Two lawyers who represent low-income tenants penned an op-ed for [CNN](#) outlining why the federal eviction moratorium should remain in effect long after the pandemic is over. The authors argue that state and local

jurisdictions, which typically regulate when eviction is permissible, can and should prevent forced displacements.

[CBS News](#) discusses the \$25 billion emergency rental assistance program established by Congress in December, highlighting who is eligible and how to apply for aid.

[CNN Business](#) examines the multiple economic disasters facing President Biden: evictions, unemployment, and hunger. The article mentions that despite the federal eviction moratorium, many landlords are using legal loopholes to evict tenants.

[NextAdvisor](#) reports on President Biden's extension of the federal eviction moratorium through March 2021 and the steps renters must take to be protected.

The [Washington Post](#) examines international efforts to vaccinate people experiencing homelessness.

State and Local News

Alabama

A patchwork of local, state, and federal eviction protections has made it difficult for the average tenant and landlord to navigate the process. While the federal eviction moratorium has protected many [Alabama renters](#), others have fallen through the cracks due to [loopholes and a lack of enforcement](#). Dev Wakeley, a policy analyst for Alabama Arise, says that current eviction moratoriums are not enough to protect low-income renters and others facing eviction.

Arizona

An op-ed in [AZ Central](#) discusses recent efforts by Phoenix officials to scale back proposed shelter space. Nonprofit organizations are working to address the affordable housing and homelessness crisis, which is expected to worsen in the wake of the pandemic. City officials' resistance to these efforts has left advocates questioning the metro Phoenix area's commitment to addressing homelessness.

California

The [LA Times](#) explores how President Biden's housing plans could help people experiencing homelessness in Los Angeles. "We have a tremendous opportunity ahead with President Biden, having run on a commitment of housing as a human right, and putting out his intention to make housing assistance universally available to everybody who needs it," said NLIHC President and CEO Diane Yentel.

The [San Francisco Public Press](#) discusses President Biden's [executive order](#) announcing that FEMA will fully reimburse local governments for the cost of housing individuals who are homeless in non-congregate shelters and why San Francisco should take advantage of this policy change.

[Los Angeles officials](#) hope that President Biden's executive order directing FEMA to provide 100% reimbursement for non-congregate sheltering will breathe new life into Project Roomkey. The city of LA has committed to spending about \$95 million to rent hotel rooms through the end of March, and the county has budgeted \$113 million.

[LA Councilmembers](#) Mike Bonin and Nithya Raman filed a motion on January 26 calling for the city of Los Angeles to expand the Project Roomkey program. The motion asks city officials to determine quickly how to expand and improve Project Roomkey and urges the Los Angeles Homeless Services Authority to consult with unhoused individuals on ways to improve the program.

Governor Gavin Newsom and state legislative leaders on January 25 [announced](#) an agreement to extend California's eviction moratorium through June 30, 2021, while using [federal COVID-19 relief funding](#) to pay

off up to 80% of eligible tenants' unpaid rent. Despite the moratorium extension, some remain concerned about a [lack of enforcement](#) of the protections.

Data from sheriffs' offices in the [Bay Area's nine counties](#) show that at least 527 individuals and families in the Bay Area were evicted between March 19 and the end of December. These evictions, however, represent only a fraction of the total number of people forced from their homes since many tenants leave or get locked out before sheriffs get involved.

Colorado

[Colorado Housing Connects](#), a statewide housing hotline that connects Coloradans to housing counseling and legal services, reports that its [call volume has doubled](#) since September. The hotline has received an average of 1,166 inquiries per week so far in January, compared to an average of 563 inquiries per week in September.

The pandemic has significantly increased pressure on [Colorado Springs' agencies](#) to provide shelter, food, and other critical resources.

Connecticut

Many [Connecticut renters](#) are experiencing housing instability, even as the federal and state eviction moratoriums have been extended. Between 77,000 and 161,000 people in Connecticut are at risk for eviction. Connecticut's moratorium expires on February 9.

Florida

According to the Office of the State Courts Administrator, nearly [48,000 evictions](#) were filed in Florida from March 1 through December 31, 2020. At least [hundreds of Florida renters](#) have lost their homes since the federal eviction moratorium has been in effect.

[Marketplace](#) spoke with Dr. Ted Greer Jr., CEO of HOPE South Florida, an organization that helps individuals experiencing homelessness find housing, food, and employment, about the increased demand for the organization's services since the start of the pandemic.

Kentucky

[Louisville advocates](#) are urging elected officials to take action to prevent a surge of evictions and a rise in homelessness. Governor Andy Beshear said Kentucky will extend its eviction moratorium.

Maryland

According to [Maryland Legal Aid](#), landlords are filing evictions as "tenant hold overs," which is when renters remain in a property after their month-to-month lease expires. Many judges are ruling in favor of landlords despite the extenuating circumstances and federal and state eviction bans.

Massachusetts

Housing data indicate a [dramatic spike in eviction filings](#) since Massachusetts' eviction moratorium expired in October, with more than 6,500 evictions filed statewide in the last three months. A [study](#) by the Boston Area Research Initiative found that large corporate landlords are behind the majority of evictions, and many of these larger landlords have not signed the state's [Eviction Diversion Pledge](#).

Michigan

The *Lansing State Journal* reports that [over 1,000 households in Greater Lansing](#) received assistance through an eviction diversion program funded through the CARES Act and other state and local funds. Despite the

diversion and other assistance programs, evictions are still taking place, with over 770 eviction cases filed in the district court that serves Lansing between early October and January 25. That number could be higher, as court officials said the court is behind on processing.

Missouri

[Thousands of eviction filings](#) are piling up in St. Louis and St. Louis County courts. According to data compiled by the Eviction Lab, landlords have filed almost 5,000 evictions since mid-March.

Nebraska

The [Douglas County](#) Board on January 26 decided to allocate \$2 million of its \$10 million unspent CARES Act funds for rent and mortgage assistance. The county will give the funds to the [Metro Area Continuum of Care for the Homeless](#) to distribute. Omaha is expected to receive about \$22 million in rent relief from the new COVID-19 relief bill, and the county will receive about \$4 million to help Douglas County residents who live outside city limits.

[Nebraska senators](#) on January 27 discussed a group of bills that would address long-standing issues that were laid bare in 2020 amid the pandemic, economic fallout, and [looming eviction crisis](#).

New Hampshire

Amid the ongoing pandemic and COVID-related housing crisis, [free legal advice](#) from organizations like New Hampshire Legal Assistance and the Legal Advice and Referral Center plays a critical role in keeping New Hampshire renters housed.

New Jersey

[Newark Mayor Ras Baraka](#) announced on January 26 that Newark has been awarded \$8.4 million for emergency rental assistance. The city will use the new federal funding to expand Newark's existing tenant protection programs.

New Mexico

During the 2021 legislative session, [New Mexico lawmakers](#) are expected to focus on pandemic relief, including a bill that would modernize the housing code to prevent evictions and a bill to prohibit source of income discrimination. The New Mexico Coalition to End Homelessness supports the modernization bill, as it would help individuals temporarily residing in motels overcome barriers to finding permanent housing solutions.

New York

The New York City Eviction Prevention Roundtable released a [report](#) outlining policy recommendations to [keep New York tenants housed](#) during and after the immediate crisis of COVID-19 and address the viability of building owners. The recommendations seek to streamline and expand eligibility for existing housing assistance programs and address growing economic needs.

Oklahoma

The [Oklahoman](#) discusses the recent extension of the federal eviction moratorium through March 2021. According to Open Justice Oklahoma, more than 7,200 evictions have been filed in Oklahoma County since the onset of the pandemic, with about 2,000 evictions granted. Oklahoma County recently submitted a request to receive an allocation of the \$25 billion emergency rental assistance program established by Congress in December.

Pennsylvania

[Pennsylvania Democratic lawmakers](#) introduced legislation to address the COVID-19 housing crisis. The legislation includes extending the eviction and foreclosure moratorium, waiving late fees for tenants affected by COVID-19, and providing homelessness resources.

[Lebanon County](#) residents in need of rental assistance can submit a preliminary application for the county's COVID-19 emergency rental assistance fund.

Texas

The [Texas Tribune](#) reports that as Austin officials and unsheltered residents are advocating for better housing solutions, Governor Greg Abbott is working on a legislative ban on encampments. A state-sanctioned encampment in Austin is full and cannot accept new residents. Austin city councilmembers are considering buying two hotels that would house 150 individuals experiencing homelessness.

With federal emergency rental assistance funds on the way, [Dallas](#) officials are preparing to distribute \$40 million in rental assistance to the people who need it most.

Virginia

The [Virginia House of Delegates](#) will decide whether tenant protections established because of the COVID-19 pandemic should be permanent. Thousands of Virginians remain at risk of eviction as coronavirus infections and deaths continue to rise.

Washington

The [Seattle Times](#) discusses President Biden's housing plan and how it could impact Seattle's homelessness crisis. NLIHC President and CEO Diane Yentel says that with Democrats in control of the White House, Senate, and House, President Biden's plan to make housing assistance an entitlement is achievable.

Additional Disaster Housing Recovery Updates - February 1, 2021

The NLIHC-led Disaster Housing Recovery Coalition is convening and supporting disaster-impacted communities to ensure that federal disaster recovery efforts reach all impacted households, including the lowest-income and most marginalized people who are often the hardest-hit by disasters and have the fewest resources to recover.

Learn more about the DHRC's policy recommendations [here](#).

Resources & Reporting

HUD released an Urban Institute [report](#) examining the Community Development Block Grant Disaster Recovery (CDBG-DR) program to uncover patterns in the pace of recovery across a sample of 88 grants for disasters from 2005 to 2015. Carlos Martín, one of the report's lead authors, is a member of the Disaster Housing Recovery Coalition. To learn more, read the [report](#) and an [Urban Institute article](#) on the findings.

In Case You Missed It: FEMA announced a [proposed rule](#) on December 14, 2020, that would severely restrict disaster-impacted states from receiving FEMA Public Assistance (PA). If the full rule is implemented, communities would lose access to federal resources needed to recover in all but very large disasters. The NLIHC-led Disaster Housing Recovery Coalition (DHRC) is requesting that FEMA withdraw these provisions.

NLIHC created a [fact sheet](#) describing the proposed rule and offering arguments in opposition. See NLIHC's [Memo article](#) for more information. Submit a comment on the proposed rule [here](#).

Alabama Tornado

A [tornado](#) that struck Fultondale, Alabama on Monday (1/25) night killed a teenager, injured 30 individuals, and left a path of destruction in its wake. Aerial video showed [collapsed homes](#) and structures with roofs ripped off. Jefferson County Superintendent Dr. Walter Gonsoulin said officials were trying to determine how many students [may be homeless](#) as a result of the tornado.

Hurricanes Laura & Delta

Louisiana Governor John Bel Edwards [asked President Biden for \\$3 billion](#) in Community Development Block Grant Disaster Recovery (CDBG-DR) funds to assist Louisiana with its ongoing recovery from the 2020 hurricanes. "The assistance that we've received thus far has been substantial," the [governor wrote](#). "It's just insufficient to do everything that we need to do."

FEMA [announced](#) it has identified commercial parks throughout the areas affected by Hurricanes Laura and Delta to house displaced residents temporarily. "Hurricanes Laura and Delta impacted areas of Louisiana where available housing was minimal or non-existent, thereby further exacerbating an already problematic lack of affordable rental housing units," the statement reads.

[KPLC](#) reports on Calcasieu Parish officials' long-term goals to address the parish's affordable housing and homelessness crisis. Since most of Calcasieu's resources for individuals experiencing homelessness were destroyed by the hurricanes, the Calcasieu Police Jury is taking a calculated approach to meeting basic needs. One of the department's main goals is to strategize affordable housing projects and build an emergency shelter in Lake Charles within three to five years.

Hurricane Michael

Housing remains one of the most significant long-term recovery needs in [Calhoun and Jackson counties](#) more than two years after Hurricane Michael. The North Florida Inland Long-Term Recovery Group has helped 800 households in the two rural counties with repairing damaged roofs, home interiors, water wells, and more.

Wildfires in the West

FEMA has begun moving [manufactured housing units](#) onto a Mill City site that will provide temporary housing to eligible Oregon wildfire survivors. [According to FEMA](#), 85 families whose homes were destroyed or severely damaged by the wildfires have received licenses for FEMA temporary housing. The temporary homes have been placed in RV parks or in FEMA-constructed sites.

The [Oregonian](#) reports that three months after the Oregon Legislature allocated \$65 million to purchase motels to house wildfire survivors and other individuals experiencing homelessness, the first properties will not open until at least mid-February.

The [New York Times](#) examines how the pandemic and longstanding housing issues have impacted Californians' decisions to rebuild after the wildfires, noting how the lowest-income and most marginalized renters inevitably suffer the domino effects.

HUD

Senate Committee Holds Confirmation Hearing for HUD Secretary-Designate Marcia Fudge

The Senate Banking, Housing, and Urban Affairs Committee held a confirmation hearing on January 28 for Representative Marcia Fudge (D-OH), President Joe Biden's nominee for the secretary of HUD. In Representative Fudge's [testimony](#), she detailed her priorities as HUD secretary, her direct experience with economic development and affordable housing as mayor of Warrensville Heights, Ohio and as a representative of Ohio's 11th congressional district. She also addressed her commitment to addressing HUD's greatest challenges, including the coronavirus pandemic and its economic fallout.

"It bears mentioning, particularly in this moment of crisis, that HUD - perhaps more than any other department - exists to serve the most vulnerable people in America. That mandate matters a great deal to me. It is consistent with my own values, and it is precisely what has always motivated me to service." Representative Fudge said, "There are so many issues we need to come together to address - everything from bringing capital back to disinvested communities, to increasing energy efficiency in housing, to dealing with the dangers of lead-based paint, to taking on our crisis of homelessness with compassion and resolve."

Regarding specific regulations such as the Affirmatively Further Fair Housing (AFFH) rule and the Disparate Impact rule, Representative Fudge assured the committee that she will follow the regulatory process in accordance with the Administrative Procedure Act (APA) and will ensure HUD's actions remain consistent with the Supreme Court ruling on inclusive communities (see *Memo*, [05/29/2015](#)). Representative Fudge also confirmed her commitment to enforce fair housing law. When questioned about her past statements about Republican elected officials, Representative Fudge expressed her commitment to work with all of the members of Congress.

The AFFH rule was abruptly rescinded last summer by the Trump administration (see *Memo*, [07/27/2020](#)), and harmful changes to the Disparate Impact Rule were set to go into effect on October 26, 2020 but were halted by a U.S. District Court (see *Memo*, [11/02/2020](#)). President Biden recently issued a [memorandum](#) to HUD directing an examination of the previous administration's actions against these rules. The memo directs HUD to administer its programs in a manner that affirmatively furthers fair housing and prevents practices with disparate impacts.

Among other priorities, Representative Fudge also expressed support for :

- expanding Housing Choice Vouchers
- expanding the inventory of low- and moderate-income housing
- expanding housing counseling assistance
- housing finance reform with a focus on down payment assistance
- the permanent authorization of CDBG-DR program.

Representative Fudge expressed a commitment to work with members of the Committee on Opportunity Zones, manufactured housing, addressing lead and hazard in homes, zoning and NIMBY politics, and the shortage of affordable housing in tribal communities.

A vote to confirm Representative Fudge is expected to occur later this week. If confirmed, Marcia Fudge will be the first woman in 40 years and the second Black woman ever to lead HUD.

NLIHC President and CEO Diane Yentel submitted a [letter](#) in support of Representative Fudge's nomination as secretary of HUD to Senate Banking, Housing, and Urban Affairs Chairman Sherrod Brown (D-OH), Ranking Member Pat Toomey (R-PA), and members of the Committee. The letter urges swift confirmation and states:

“Secretary-designate Fudge will be charged with leading HUD during a time of extraordinary challenges and hardship for our nation’s lowest-income renters and people experiencing homelessness. Secretary-designate Fudge has a demonstrated record as a leader who values the expertise and the importance of building collaborative partnerships, a record she clearly intends to continue through her and President Biden’s assembling of an outstanding team of seasoned experts to navigate the critical work ahead. Her decision to surround herself with experts and champions for affordable housing will, together with her leadership, vision, and commitment to the lowest-income and most marginalized people, propel HUD to achieve its critical mission and revitalize the department’s depleted and demoralized workforce.”

A recording of the confirmation hearing can be found at the Senate Committee on Banking, Housing, and Urban Affairs website at: <https://bit.ly/2Y0vhHJ>

Read Representative Fudge’s written testimony at: <https://bit.ly/2NPeW6V>

Read NLIHC’s letter of support of Representative Marcia Fudge’s nomination as secretary of HUD at: <https://bit.ly/3otlm8e>

President Biden Issues Memorandum on Redressing Discriminatory Housing Practices and Policies

President Joe Biden issued a [memorandum](#) to the secretary of HUD instructing the agency to redress the nation’s long history of discriminatory housing practices and policies and reaffirming the administration’s commitment to end housing discrimination. Section 1 of the memorandum provides a brief history of housing discrimination and its enduring consequences for communities of color while also acknowledging the federal government’s role in perpetuating exclusion and segregation. The memorandum also orders that the secretary of HUD reexamine the previous administration’s rulemaking on the Affirmatively Furthering Fair Housing (AFFH) rule and the Disparate Impact rule.

Section 2. Examining Recent Regulatory Actions, orders the HUD secretary to examine the effects of the previous administration actions against the AFFH rule and Disparate Impact rule. This includes examining former President Trump’s unilateral decision in publishing “[Preserving Community and Housing Choice](#),” which repealed the 2015 AFFH rule (see *Memo*, [07/27/20](#)), and the effect this decision has had on HUD’s statutory duty to affirmatively further fair housing.

The memorandum also orders the HUD secretary to examine the previous administration’s changes to the Disparate Impact rule (see *Memo*, [09/14/2020](#)), and the effect that it has had on HUD’s statutory duty to ensure compliance with the Fair Housing Act.

The memorandum further instructs the HUD secretary to take the necessary steps to implement the Fair Housing Act AFFH requirement and to prevent practices that have disparate impact. The memorandum states, “Based on these examinations, the Secretary shall take any necessary steps, as appropriate and consistent with applicable law, to implement the Fair Housing Act’s requirements that HUD administers its programs in a manner that affirmatively furthers fair housing and HUD’s overall duty to administer the Act including by preventing practices with an unjustified discriminatory effect.”

Since the passing of the Fair Housing Act of 1968, the federal government, states, and local communities have been required by law to work to undo the segregation of communities that federal housing policy created in the first place. The requirement to affirmatively further fair housing is enshrined in this law, but no meaningful guidance existed until the AFFH rule was published in 2015. The 2015 AFFH rule made the strongest effort in decades to reverse harmful patterns of segregation and discriminatory practices in communities across the

country. The rule equipped communities with the tools and guidance they needed to meet their obligations under the Fair Housing Act, giving jurisdictions the flexibility to identify fair housing challenges and develop priorities and methods for addressing them. In 2018, former HUD Secretary Ben Carson prematurely suspended implementation of the 2015 AFFH (see *Memo*, [05/21/2018](#)) before repealing it entirely by the “Preserving Community and Housing Choice” final rule.

For more than 40 years, HUD and the courts have interpreted the Fair Housing Act to prohibit housing policies or practices that have a discriminatory effect even if there was no apparent intent to discriminate. There are 13 U.S. Courts of Appeals, 11 of which have heard disparate impact cases, and all have upheld disparate impact and applied a burden-shifting standard. Because there were minor variations in how the courts and HUD applied the concept of discriminatory effects over the years, a proposed rule in 2011 offered a standard for comment, culminating in a final Disparate Impact rule on February 15, 2013. That final regulation established uniform standards for determining when a housing policy or practice with a discriminatory effect violates the Fair Housing Act. On September 24, 2020, the Trump Administration published its final rule that would shift the burden of proof from housing providers, financial institutions, and insurance companies to the victims of discrimination (see *Memo*, [09/14/2020](#)). This rule was set to go into effect on October 25, 2020, but was halted due to a preliminary nationwide injunction issued by the U.S. District Court for the District of Massachusetts (see *Memo*, [11/02/2020](#)).

Acting HUD Secretary Matt Ammon released a statement on the new memorandum that includes the following language:

President Biden’s executive order is a vital step toward redressing the federal government’s legacy of housing discrimination and securing equal access to housing opportunity for all.

Racially discriminatory housing practices and policies have kept communities of color from accessing safe, high-quality housing and the chance to build wealth that comes through homeownership. To this day, people of color disproportionately bear the burdens of homelessness, pollution, climate-related housing instability, and economic inequality because of deliberate and systemic efforts to deny them fair and equal access to housing opportunity.

Only by recognizing and acknowledging our nation's history of housing discrimination can we begin to lift the barriers to safe, accessible, and affordable housing. With this executive order, President Biden is taking meaningful action to advance racial equity in housing and expand opportunity for all. HUD looks forward to working closely with the President and his administration to expand equitable access to housing for millions of Americans.

While the memorandum neither makes clear if HUD will implement the 2015 AFFH rule nor discusses a timeline for changes to these rules, it does reaffirm the administration’s commitment to housing justice and undoing the previous administration's harmful actions against fair housing. NLIHC will continue to inform readers with updates to these rules.

Read the “Memorandum on Redressing Our Nation’s and the Federal Government’s History of Discriminatory Housing Practices and Policies” at: <https://bit.ly/3iX7HVZ>

Read the Memorandum in the *Federal Register* at: <https://bit.ly/2MyAMuy>

Read Acting HUD Secretary Ammon’s statement at: <https://bit.ly/3pv3T0m>

More information about AFFH is on pages [7-14](#), [7-21](#), [7-27](#), and [7-35](#) of NLIHC’s [2020 Advocates’ Guide](#).

“[Preserving Community and Housing Choice](#)” is at: <https://bit.ly/2P5Xk45>

More about disparate impact is on [page 7-8](#) of NLIHC's [2020 Advocates' Guide](#).

The *Federal Register* version of HUD's final Disparate Impact rule is at: <https://tinyurl.com/y5omyvps>

HUD PIH Provides Guidance on Using Public Housing Funds for Internet

HUD's Office of Public and Indian Housing (PIH) sent an [email](#) to public housing agency (PHA) executive directors announcing guidance regarding using public housing funds to support Internet connectivity for public housing residents. The email links to a [four page document](#) that provides a comprehensive summary of how public housing funds can be used to support resident access to broadband Internet and devices using public housing Operating Funds and Capital Funds.

PHAs may use public housing Operating Funds to provide internet services to public housing residents in their units and in common areas. PIH has allowed PHAs to use Operating Funds to cover costs of internet service for computer labs, common areas, and PHA operation and management purposes. PIH notes that access to the internet in buildings and individual units enables public housing residents to better communicate with PHA management and resident councils.

Operating Funds may be used for ongoing costs of operating computer centers in public housing including:

- Ongoing internet connection fees and utilities
- Computers and computer equipment
- Staff salary
- Other activities related to operating a computer center (e.g., training programs)
- Network maintenance and security expenses

In residents' homes the Operating Fund may be used for:

- Internet service for residential units and common areas
- Ongoing maintenance of PHA-purchased broadband equipment and wiring, Wi-Fi/mesh network equipment, satellite/cellular receivers, and in-unit routers, hotspots, and modems
- Related staff expenses

PHAs have used public housing Capital Funds to update buildings to support broadband internet and Wi-Fi. They have also used Capital Funds to purchase and install equipment, and for capital expenditures to facilitate programs to improve resident empowerment and economic self-sufficiency, tenant accommodations, and training to operate equipment.

In residents' homes, the Capital Fund may be used for:

- Installation of or upgrades to broadband infrastructure and hardware equipment such as modems, switches, or Wi-Fi extenders
- Equipment to establish Wi-Fi (or mesh) networks/or upgrades to such equipment
- Wiring of individual units
- Installation of special directional antennae to extend wireless internet connectivity from the PHA's management offices to public housing properties, enabling households within reach of the wireless signal to have free connectivity
- Installation of satellite/cellular receivers to connect properties to wireless broadband

- Routers, hotspots, and modems for individual units (but not internet connectivity, this would be an Operating Fund expense)

Resident Councils can use the \$25 per occupied unit funding they receive for the same internet connectivity expenses mentioned above under the Capital Fund and Operating Fund eligible uses.

The “CARES Act of 2020” provided additional funding and flexibilities as described in [Notice PIH 2020-07](#) and relevant [Frequently Asked Questions \(FAQs\)](#). CARES Act funds may be used to cover in-unit internet service and shared devices to prevent, prepare for, and respond to coronavirus, including activities to support or maintain the health and safety of assisted individuals and families, and to support education and childcare for impacted families.

Examples of PHAs using CARES Act funds to support internet connectivity are offered. PHAs have purchased laptops or tablets for students. Some PHAs opted to fund internet service for units with school-aged children. Others installed Wi-Fi routers or provided mobile hotspots for loan, and some allowed residents to borrow devices for telehealth purposes.

The PIH email is at: <https://bit.ly/36jyUNj>

The four-page guidance document is at: <https://bit.ly/2KRyara>

More information about public housing is on [page 4-30](#) of NLIHC’s *2020 Advocates’ Guide*.

HUD PIH Issues Notice on Using Vouchers in Shared Housing

HUD’s Office of Public and Indian Housing (PIH) issued [Notice PIH 2021-05](#) reminding public housing agencies (PHAs) that Housing Choice Vouchers (HCVs) may be used to assist households in “Shared Housing.” Shared Housing is a single housing unit occupied by an assisted household and another resident or residents. The shared unit consists of common space for use by the occupants of the unit and separate private space for each assisted household. The unit may be a house or an apartment. There is a separate Housing Assistance Payment (HAP) contract and lease for each assisted household.

Assisted households can share a unit with other HCV assisted people or unassisted people. An owner of a property may live in a unit, but housing assistance may not be paid on an owner’s behalf, nor can a resident owner be related by blood or marriage to an assisted household. However, a PHA must grant exceptions when needed as a reasonable accommodation for a person with a disability. If approved by a PHA, a live-in aide may live with a household to care for a person with disabilities. A PHA must approve a live-in aide if needed as a reasonable accommodation so that HCVs are readily accessible to and usable by people with disabilities.

PHAs may not approve a household to live in Shared Housing unless the entire unit, including the portion of the unit that an assisted household would live in meets Housing Quality Standards (HQS). HQS regulatory requirements apply to Shared Housing, along with additional requirements, including:

- Facilities available to an assisted household, whether shared or private (non-shared), must include a living room, a bathroom, and food preparation and refuse disposal facilities.
- The entire unit must provide adequate space and security for all assisted and unassisted residents. The private, non-shared space for each assisted household must have at least one bedroom for each two people in the household. The number of bedrooms in a private, non-shared space of an assisted household must not be less than the household unit size. A 0-bedroom or 1-bedroom unit may not be used for shared housing.

The *Notice* also discusses payment standards, utility allowances, and rent reasonableness.

Notice PIH 2021-05 is at: <https://bit.ly/2YjK6oG>

More information about Housing Choice Vouchers is on [page 4-1](#) of NLIHC's *2020 Advocates' Guide*.

Department of the Treasury

Senate Confirms Janet Yellen as Treasury Secretary

The Senate confirmed Dr. Janet Yellen as treasury secretary by a bipartisan vote of 84-15 on January 25. Secretary Yellen will be the first woman to hold the position of treasury secretary since its inception in 1789. Secretary Yellen previously served as the 15th chair of the Federal Reserve from 2014-2018 and a distinguished fellow in residence with the Economic Studies Program at the Brookings Institution before taking leave after her nomination for treasury secretary. She was sworn in by Vice President Kamala Harris on January 26.

The Department of the Treasury administers several housing and community development programs, including the Low-Income Housing Tax Credit (LIHTC) program, Making Home Affordable program, Hardest Hit Fund, and Community Development Financial Institutions (CDFI). Treasury has overseen funding for several recent disaster recovery efforts, including special allocations of LIHTCs and other incentives to spur redevelopment. Treasury also oversees Housing Bonds, which finance the development of rental and homeownership units. The department offers backing to HUD's FHA Mutual Mortgage Insurance Fund and has played a key role in the nation's housing crisis recovery efforts by purchasing mortgage-backed and debt securities issued by Fannie Mae and Freddie Mac.

When asked about housing finance reform in her confirmation hearing, Dr. Yellen replied, "Nothing is more important to the future of housing in the U.S. than what we do with Freddie and Fannie. I need to look carefully on what's been put in place, and ultimately we need to find a solution that has bipartisan support and work with Congress and craft an approach." In the hearing, Dr. Yellen committed to work with low-income workers and minority communities impacted most by the COVID-19 pandemic.

NLIHC President and CEO Diane Yentel sent a [letter](#) on January 21 to President Joe Biden, Treasury Secretary-designate Janet Yellen, and HUD Secretary-designate Marcia Fudge outlining significant concerns with a [Frequently Asked Questions](#) (FAQ) document released by the Treasury Department on January 19 regarding the coronavirus-relief emergency rental assistance (ERA) program (see *Memo*, [01/25](#)). Many provisions in the FAQ document would make it more difficult for the lowest-income and most marginalized households to remain stably housed during the pandemic.

A recording of the confirmation hearing can be found at the Senate Committee on Finance's website at: <https://bit.ly/38DxE9j>

Read the full text of the letter NLIHC sent to President-Elect Joe Biden, HUD Secretary-designate Marcia Fudge of HUD, and Secretary of Treasury Janet Yellen at: <https://bit.ly/3clmmZA>

More information about the Low-Income Housing Tax Credit (LIHTC) is on page [5-17](#) of NLIHC's *Advocates Guide*.

More information about Community Development Financial Institutions Fund is on page [8-6](#) of NLIHC's *Advocates Guide*.

More information about the Housing Bonds program is on page [5-9](#) of NLIHC’s *Advocates Guide*.

More information about FHA is on page [5-1](#) of NLIHC’s *Advocates Guide*.

More information about Fannie Mae, Freddie Mac, and Housing Finance Reform is on page [3-15](#) of NLIHC’s *Advocates Guide*.

Tribal Relations and Housing

President Biden Issues Memorandum on Tribal Consultation and Strengthening Nation-to-Nation Relationships

President Joe Biden issued a [memorandum](#) reaffirming the administration’s commitment to American Indian and Alaska Native Tribal Nations and directing the heads of executive departments and agencies to reinvigorate the consultation process with Indian Tribes.

President Biden wrote:

“It is a priority of my Administration to make respect for Tribal sovereignty and self-governance, commitment to fulfilling Federal trust and treaty responsibilities to Tribal Nations, and regular, meaningful, and robust consultation with Tribal Nations cornerstones of Federal Indian policy. The United States has made solemn promises to Tribal Nations for more than two centuries. Honoring those commitments is particularly vital now, as our Nation faces crises related to health, the economy, racial justice, and climate change—all of which disproportionately harm Native Americans. History demonstrates that we best serve Native American people when Tribal governments are empowered to lead their communities, and when Federal officials speak with and listen to Tribal leaders in formulating Federal policy that affects Tribal Nations.”

The memorandum directs the executive departments and agencies to complete the following \:

1. Submit to the Director of the Office of Management and Budget (OMB) a detailed plan of actions the agency will take to implement detailed tribal consultation action plans ([Executive Order 13175](#)) within 90 days of the date of this memorandum.
2. Designate an agency official to coordinate the implementation of the plan and preparation of progress reports required by the memorandum. Reports will be submitted to the Assistant to the President for Domestic Policy (APDP) and the Director of OMB.
3. Submit to the Director of OMB annual progress reports on the status of each action included in the agencies plan within 270, including with any proposed updates to the plan
4. For the OMB Director, in coordination with APDP, within a year from the date of this memorandum, submit a report to the President on the implementation of Executive Order 13175.

HUD Acting Secretary Matt Ammon released a statement on the memorandum stating:

“HUD applauds President Biden for taking bold action to strengthen the Federal government’s recognition of Tribal sovereignty, carry out our Federal trust and treaty responsibilities, and ensure that all Federal agencies engage in meaningful government-to-government consultation when developing policies that affect Tribal Nations. HUD plays an instrumental role in providing safe, affordable housing for Tribal communities, and this work could not be done without the engagement of our Tribal partners. The President’s memorandum will ensure that our agency will work tirelessly to consult with Tribal leaders when formulating policies to expand opportunity and equity in Native communities. HUD looks

forward to implementing the President’s Memorandum and to continuing our critical work to meet the housing needs of Tribal Nations.”

The “Native American Housing Assistance and Self-Determination Act of 1996” (NAHASDA) is the primary federal statute designed to address Native American housing issues. NAHASDA has two major components: 1) the Indian Housing Block Grant (IHBG) Program (which is not the same as the Indian Community Development Block Grant, or ICDBG), and 2) the Title VI Tribal Housing Activities Loan Guarantee Program. Enacted in 1996, NAHASDA provides assistance to Indian tribes by providing affordable housing-related opportunities for low-income families residing on reservations and in other tribal areas. The act, which became effective in October 1997, provides tribes with a consistent, dedicated annual funding stream without requiring them to navigate the myriad of general housing programs administered by HUD. The act recognizes tribal sovereignty and self-determination by providing block grant funds directly to tribes, which are operated pursuant to tribally created Indian Housing Plans.

Read the “Memorandum on Tribal Consultation and Strengthening Nation-to-Nation Relationships” at: <https://bit.ly/3ahpJxY>

Read the Memorandum in the *Federal Register* at: <https://bit.ly/2MwNES7>

Read Acting HUD Secretary Matt Ammon’s statement at: <https://bit.ly/3a8LRdY>

More about NAHASDA is on page [5-29](#) of NLIHC’s [2020 Advocates Guide](#).

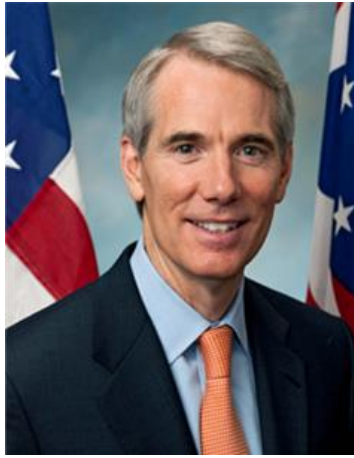
NLIHC Events

Congressional Leaders to Address NLIHC Virtual Housing Policy Forum 2021, March 30-31

NLIHC’s **Virtual Housing Policy Forum 2021: A New Day**, taking place March 30-31, 1-5 pm ET, will feature special presentations from key leaders in Congress, including **Speaker of the House Nancy Pelosi (D-CA)**, **Senator Rob Portman (R-OH)**, and **Representative Maxine Waters (D-CA)**, on the congressional response to the COVID-19 pandemic, housing and homelessness, and the work that remains to be done to address housing poverty and homelessness in the U.S. during and after the pandemic. Register today at: <http://bit.ly/NLIHCForum21>



Speaker Pelosi (D-CA)



Senator Portman (R-OH)



U.S. Representative Waters (D-CA)

The Forum will also include keynote speakers and panels on Racial Equity and Housing Justice; Coronavirus, Housing, and Homelessness: The Current State of Play; What the Elections Mean for Affordable Housing/Capitol Hill Insiders Panel; State and Local Emergency Rental Assistance Programs; Achieving a Housing Entitlement; Best Practices in Organizing; and more.

Register to attend at: <http://bit.ly/NLIHCForum21>

Celebrate the Housing Justice Network, Joy Johnson, Rep. Maxine Waters, and Sen. Sherrod Brown, NLIHC's 2021 Housing Leadership Award Honorees

Join NLIHC in celebrating the 2021 Housing Leadership Awards honorees: the **Housing Justice Network** of the National Housing Law Project; **Joy Johnson**, long-time resident leader of the Charlottesville Public Housing Association of Residents (PHAR) and former NLIHC board member; **Representative Maxine Waters** (D-CA), chair of the House Financial Services Committee; and **Senator Sherrod Brown** (D-OH), chair of the Senate Banking, Housing, and Urban Affairs Committee. These exceptional leaders will be recognized at NLIHC's 39th Annual Housing Leadership Awards Celebration held virtually on Wednesday April 28. Donate to NLIHC in these leaders' honor as an [individual](#) or as an [organization](#).

The National Housing Law Project's **Housing Justice Network** will receive the Sheila Crowley Housing Justice Award for the Network's outstanding efforts for over forty years serving on the front lines to advance

housing rights and over past year to keep families safely housed during the pandemic. This award is named after former NLIHC President and CEO Sheila Crowley, who led NLIHC for more than 17 years.



The Dolbeare Lifetime Service Award, named for NLIHC’s founder Cushing Niles Dolbeare, a pioneer of the affordable housing movement, will be awarded to **Joy Johnson** for serving her community and the nation for decades as a public housing advocate, organizer, and activist-leader, improving the lives of low-income residents in Charlottesville and across the United States.



Joy Johnson

A 2021 Edward W. Brooke Housing Leadership Award will be presented to **Representative Maxine Waters** for her indispensable leadership fighting for equity and justice, combatting racism, championing the housing needs of the lowest-income people, and achieving critical housing and homelessness resources and protections during the 2020 pandemic. This award is named for Senator Edward Brooke (R-MA), who championed low-income housing as a U.S. senator and later as chair of the NLIHC board of directors.



Rep. Maxine Waters

Senator Sherrod Brown will receive a 2021 Edward W. Brooke Housing Leadership Award for his many years of fighting for racial and social justice, voting rights, and affordable housing, and for his exceptional leadership in Congress to address the housing and homelessness crisis during the 2020 coronavirus pandemic.



Sen. Sherrod Brown

Recognize these outstanding leaders by making a donation to NLIHC in their honor!

Donate as an individual at: <https://bit.ly/2Kd9oRZ>

Donate as an organization at: <https://bit.ly/2LpBbzy>

Or text LEADERSHIP to 41444 to donate in honor of the awardees.

Your donation will be recognized in the Leadership Awards Celebration program. The contribution will support NLIHC's mission to achieve socially just public policy to ensure the lowest-income people have decent, affordable homes.

Registration to attend the Housing Leadership Awards Celebration will be forthcoming.

***Tenant Talk Live!* on NLIHC Policy Priorities and How to Avoid Rental Assistance Scams, Today!**

[Join](#) resident leaders and NLIHC staff for the next *Tenant Talk Live!* webinar. NLIHC Policy Analyst Kim Johnson will discuss our policy priorities for the new administration and Congress. We will also be joined by Federal Trade Commission Consumer Education Specialist Lisa Lake, who will discuss how renters can avoid rental assistance scams. This *Tenant Talk Live!* will take place today at 6 pm ET (5 pm CT, 4 pm MT, 3 pm PT). Register at: <https://bit.ly/3dNekGP>



NLIHC Policy Analyst Kim Johnson



Federal Trade Commission Consumer Education Specialist Lisa Lake

The most recent episode of *Tenant Talk Live!* included speakers from the National Alliance of HUD Tenants discussing best practices to engage with newly elected officials. Watch the recording at: <https://bit.ly/3i2XiHH>

Tenant Talk Live! provides opportunities for residents to connect with NLIHC and one another, share best practices, and learn how to be more involved in influencing federal housing policies and to lead in their communities.

NLIHC is committed to connecting and engaging with resident leaders in new, robust ways. If you are a low-income resident and have a topic you would like to propose for peer-sharing or if you want to be a speaker on an upcoming call/webinar, email: karbuckle@nlihc.org

Register for *Tenant Talk Live!* at: <https://bit.ly/3dNekGP>

Opportunity Starts at Home

Campaign Welcomes New State Grantees

The [*Opportunity Starts at Home*](#) (OSAH) multisector affordable homes campaign has awarded capacity building grants to eight state-based organizations that will be advancing the national campaign's goals. Each grantee will use the funding to diversify their state's housing coalition to other sectors, such as health, education, civil rights, food security, climate, faith, anti-poverty, and more. OSAH will leverage their multi-sector partnerships to engage federal elected officials who represent the states to enact policies that correct longstanding racial inequities and expand affordable housing for the nation's lowest-income people.

The grantees were selected through a competitive proposal process and will be formally recognized as state affiliates of the national campaign. Grantees will be able to gain access to resources, multi-sector networks, and technical assistance from the national campaign. Each applicant demonstrated a strong commitment to advancing federal affordable housing solutions for the lowest income people, amplifying racial equity, and expanding partnerships to different sectors. The grantees are:

- [Colorado Coalition for the Homeless](#)
- [Connecticut Coalition to End Homelessness](#)
- [Housing Action Illinois](#)
- [Idaho Asset Building Network](#)
- [Minnesota Chapter of Opportunity Starts at Home](#)
- [NC Child](#)
- [Prosperity Indiana](#)
- [Texas Homeless Network](#)

“Not only is it critical for Congress to hear from national advocates, but also from their own constituents in the states they represent,” said Mike Koprowski, national director of the *Opportunity Starts at Home* campaign. “This excellent cohort of grantees will be critical partners in helping the campaign achieve its goals. To be sure, the housing crisis cannot be solved without stronger federal action. And we are more likely to build the necessary political will in Congress when an array of sectors are standing shoulder-to-shoulder demanding solutions, rather than just housing advocates alone.”

In addition to this new cohort of grantees, the campaign has well-established partnerships with Housing California, Maine Together, the Housing and Community Development Network of New Jersey, the Housing Network of Rhode Island, the Coalition on Homelessness and Housing in Ohio, the Oregon Housing Alliance, and the Utah Housing Coalition.

Follow the *Opportunity Starts at Home* campaign on social media: [Twitter](#), [Instagram](#), [Facebook](#), and [LinkedIn](#). Be sure to [sign up](#) for our e-newsletter to get the latest updates about the campaign, including new multi-sector partners, [calls to action](#), events, and [research](#).

Campaign Sends Letter to Congressional Leadership Calling for More COVID-Response Housing and Homelessness Resources and Provisions

The [*Opportunity Starts at Home*](#) multi-sector affordable homes campaign sent a [letter on January 26](#) to Senate Majority Leader Chuck Schumer, Senate Minority Leader Mitch McConnell, House Speaker Nancy Pelosi, and House Minority Leader Kevin McCarthy urging them to: 1) provide \$30 billion in emergency rental and utility assistance; 2) provide \$28 billion in new funding for Housing Choice Vouchers; 3) provide \$8 billion in new funding for Emergency Solutions Grants to address the needs of people experiencing homelessness; 4) provide \$44 billion for the national Housing Trust Fund for purchasing and converting hotels and motels currently sheltering people without homes into permanent supportive housing; and 5) further extend, strengthen, and enforce the national eviction moratorium in response to the pandemic.

Read the letter [here](#).

Research

Study of Emergency Rental Assistance Programs Identifies Barriers and Best Practices

[New research](#) from NLIHC, the Housing Initiative at Penn, and NYU Furman Center examines key characteristics of emergency rental assistance programs and their relationship to program outcomes. The authors report on effective ways for programs to provide emergency rental assistance.

The study surveyed program administrators across the U.S. to identify key decisions in program design and implementation and their relationship with program challenges and outcomes. The sample included 220 emergency rental assistance programs from 22 statewide programs, 48 regions, 80 counties, and 70 cities. Responses spanned 39 states and Washington, DC.

Program administrators provided information about program design and implementation, including funding sources, eligibility criteria, documentation requirements, requirements from landlords, partnerships with other organizations, and outreach methods. The researchers asked program administrators to share program challenges and outcome data. Common challenges included application completeness and staff capacity. The authors assessed program outcomes through several metrics, including a ratio of actual number of applicants to expected number of applicants. Program administrators responded to the survey in August, September, and October 2020, and many provided follow-up outcome data in December 2020 and January 2021. The researchers then examined how key characteristics correlate with program challenges and outcomes to determine what contributes to program's effectiveness in providing rental assistance to households.

Jurisdictions leveraging existing programs were effective early on. Although newly established programs initially had more difficulty getting funds out the door than existing programs modified in response to COVID-19, they were ultimately able to adapt and were also effective by the end of 2020. Jurisdictions that leveraged local networks, including partnerships with local nonprofits, were particularly effective at getting funds to renters in need, though they, too, experienced delays initially.

Programs with more stringent requirements for landlords tended to serve fewer households than they expected to serve. In particular, the longer a program asked landlords not to evict tenants, the fewer households the program served. Programs with more stringent documentation requirements tended to have challenges with incomplete applications.

Importantly, programs targeting households with very low incomes tended to be more effective at distributing assistance than programs targeting households with moderate incomes. Overall, the report provides strong

support that program administrators should target resources to lower-income households, create a simple application process, avoid onerous documentation requirements for tenants, and be judicious with concessions from landlords in order to distribute rental assistance effectively.

To learn more, read the full report at: <https://bit.ly/3iVCdzs>

Disaster Recovery Timelines are Shortening, but Challenges Remain for the CDBG-DR Program

An Urban Institute report, “[Housing Recovery and CDBG-DR: A Review of the Timing and Factors Associated with Housing Activities in HUD’s Community Development Block Grant for Disaster Recovery Program](#),” provides in-depth analysis of disaster recovery timelines and implementation challenges since 2006. The research finds that Community Development Block Grants for Disaster Recovery (CDBG-DR) took 4.7 years to complete, on average, with wide variation across housing activity types. The researchers found shared implementation barriers across grantees, including limited staff capacity, complex program requirements, and challenging application processes.

HUD’s CDBG-DR program is intended to address unmet needs after disasters once FEMA and Small Business Administration funding has been depleted. The funds require a special congressional appropriation following a presidentially declared disaster. Most CDBG-DR funding is used for housing activities, including relocation, new construction, and rehabilitation, but it can also be used for other activities such as social services and economic and community development.

The researchers completed both a quantitative analysis of CDBG-DR grant timelines and expenditures and a qualitative analysis of CDBG-DR administration challenges. Both analyses drew on data from CDBG-DR housing activities completed between FY2006 and FY2015. The quantitative analysis examined how long it took to complete specific CDBG-DR grant phases: appropriations (funds appropriated as a part of a specific recovery legislation), grants (funds allocated to state and local governments by HUD), and activities (specific projects completed as a part of the grant). The qualitative analysis included interviews with 13 HUD staff and 48 state and local CDBG-DR staff.

The researchers found that CDBG-DR grants took an average of 4.7 years to complete and that CDBG-DR housing activities took 3.8 years to complete. Timelines varied widely across type of program activities. Time-intensive activities included homeownership assistance and building new affordable rental units, which took 5.3 and 4.6 years on average, respectively. More immediate activities, such as housing relocation payments, took the least amount of time at an average of 1.1 years.

The time between HUD funding allocation and grantee activity completion has decreased since 2006 by approximately 6.9% annually, and the completion of the entire grant period has decreased 5.4% annually. For example, multiple grants in 2008, including those for Hurricanes Gustav and Ike, took over five years to complete. Several 2013 grants, such as those for Hurricane Sandy and Colorado severe storms, took only three and a half years to complete.

Despite these shortened timelines, challenges to administering CDBG-DR funds persist. Through interviews with HUD and CDBG-DR grantee staff, the researchers identified common implementation barriers across eight grantees. Many grantees struggled with staffing, including limited staff experience, capacity, and staff turnover. Grantees were also overwhelmed by the sheer number of applications they received, leading to delays in funding disbursement. Application requirements and eligibility also proved confusing to both grantees and applicants because requirements changed over time with the introduction of new HUD regulations. Lastly, cumbersome program regulations and requirements made it difficult for grantees to implement high-quality

programs efficiently. For example, environmental review processes and duplication of benefit requirements significantly slowed down how quickly funding could be distributed.

The researchers conclude with a series of recommendations for CDBG-DR grantees, HUD technical assistance providers, HUD administrative departments, and the federal disaster recovery policy framework as a whole. First and foremost, Congress should permanently authorize the CDBG-DR program with statutory authority, increasing certainty during the approval and allocation process. In addition, recommendations included greater cross-agency collaboration between agencies involved in disaster recovery, outcome tracking, an increase in staffing levels.

CDBG-DR is not yet a formally authorized program, meaning that Congress must allocate funding for the program on a case-by-case basis with HUD publishing new rules each time the program is used. The lack of permanent authorization ties this important source of disaster recovery funds to Congressional politics and means that there is often little a state or local government can do ahead of time to ensure funds are distributed quickly. NLIHC and the DHRC have been pushing for permanent authorization of the program – most recently with the “[Reforming Disaster Recovery Act of 2019](#),” sponsored by Representatives Anne Wagner (R-MO) and Al Green (D-TX), and Senators Brian Schatz (D-HI), and Todd Young (R-IN). That bill was unanimously passed by the House of Representatives.

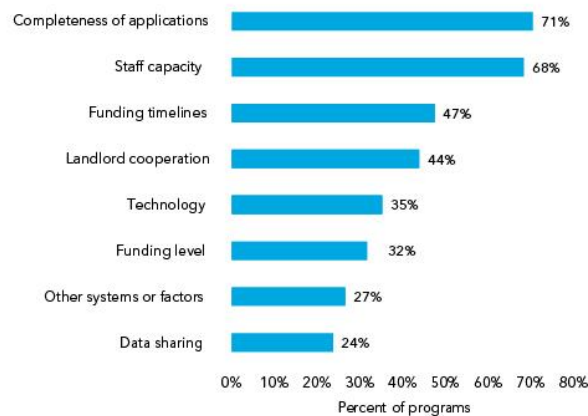
The report can be found at: <https://bit.ly/3tfvZzh>

Read about the “Reforming Disaster Recovery Act” at: <https://bit.ly/36rdG0a>

Fact of the Week

Administrators of Emergency Rental Assistance Programs Report Challenges with Applications, Staff Capacity, Funding Timelines in 2020

State and Local Emergency Rental Assistance Programs’ Challenges in 2020



Source: Housing Initiative at Penn, NYU Furman Center, and NLIHC “COVID-19 Emergency Rental Assistance: Analysis of a National Survey of Programs” January 2021

Source: Housing Initiative at Penn, NYU Furman Center, and NLIHC, “COVID-19 Emergency Rental Assistance: Analysis of a National Survey of Programs,” January 2021.

Resources

Community Change Releases *New Deal for Housing Justice: A Housing Playbook for the New Administration*

[Community Change](#) released on January 25 the [New Deal for Housing Justice: A Housing Playbook for the New Administration](#). The project presents federal policy recommendations centering racial justice and equitable access to affordable housing. NLIHC President and CEO Diane Yentel served on the *Playbook's* advisory committee.

The *Playbook* presents a federal housing policy agenda that aims to address and root out the systemic racism and discrimination that has plagued federal housing policy since its inception. It also has recommendations for how the federal government can grow partnerships with state and local advocates, expand access to affordable, accessible housing in rural areas, end homelessness, and build equitable, resilient communities. The document closes with suggestions for altering personnel and organizational structures to address needed institutional changes within the federal government.

Read the *New Deal for Housing Justice: A Housing Playbook for the New Administration* at: <https://tinyurl.com/y4kabnck>

NLIHC in the News

NLIHC in the News for the Week of January 24

The following are some of the news stories that NLIHC contributed to during the week of January 24:

- “Nearly 20% of renters in America are behind on their payments,” *CNBC News*, January 25 at: <http://cnb.cx/3cmVzfr>
- “Biden housing nominee Marcia Fudge appears before Senate banking panel,” *NPR*, January 28 at: <http://n.pr/2MGDo9F>
- “Biden's plan to halt evictions does not address 'structural problems,' housing advocates say,” *NBC News*, January 29 at: <http://nbcnews.to/2L4hjBG>

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