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Take Action

Urge Congress to Pass HFSC Proposal for $40 Billion in COVID Relief for Renters, People who are Homeless, and Homeowners!

The House Financial Services Committee Chairwoman Maxine Waters (D-CA) released on February 5 a COVID-19 relief bill that would provide urgently needed resources for America’s lowest-income renters and people experiencing homelessness.

The bill provides $25 billion in rental assistance including: $19.05 billion for emergency rental assistance (ERA); $5 billion for emergency housing vouchers; $750 million for tribal housing needs; and $100 million for rural housing.

The bill also provides $5 billion to assist people who are homeless with immediate and longer-term assistance, $9.96 billion for homeowner assistance, and $100 million for housing counseling. The Education and Labor Committee’s relief bill may provide an additional $5 billion in utility assistance.

If enacted, these investments will help prevent millions of low-income people from losing their homes during the pandemic and will provide cities and states with the resources they need to help people experiencing homelessness be safely housed during and after the pandemic.

Please contact your senators and representatives and urge them to quickly enact a comprehensive relief package that includes these essential housing and homelessness resources!

The bill unfortunately does not include an extension of the eviction moratorium through September, as President Biden urged, because the mechanism (“reconciliation”) that Democrats are using to quickly pass this bill does not allow for it to be included. It is essential that President Biden and CDC Director Walensky continue to use executive authority to strengthen, enforce and further extend the moratorium.

Background

Congress is moving quickly to pass COVID-19 relief legislation in the coming weeks. The Democratic leadership is moving ahead with a budget reconciliation process that allows Congress to pass a relief package with a simple majority of 51 votes. The Senate and House have passed budget resolutions setting the topline spending limit for a relief package that matches President Biden’s $1.9 trillion coronavirus relief proposal. Now, each committee will quickly vote on individual spending bills for programs within their jurisdictions before they are combined into a full package for final votes. Congress and the White House are aiming to enact a new COVID relief bill by mid-March, when expanded unemployment benefits and other resources expire.

The House Financial Services Committee will vote on its bill and any filed amendments on February 10 and 11.

The bill provides $19.05 billion to the Emergency Rental Assistance program created by Congress in December, with several improvements, including: households can receive assistance for up to 18 months; the deadline to spend funds is extended to September 2025; and eligibility is extended to cover households experiencing financial hardship during or due to the pandemic. Additional funds are provided for rural households living in properties financed by the U.S. Department of Agriculture (USDA) ($100 million), and for tribal nations through HUD’s native housing programs ($750 million).

The bill also takes an important first step toward longer-term solutions by allocating $5 billion to provide tens of thousands of emergency housing vouchers to provide housing stability during and after the pandemic.
As proposed by President Biden, the bill provides $5 billion to assist people experiencing homelessness. In addition to addressing the immediate need for supportive services and rental assistance, these funds can be used to develop or convert properties into non-congregate housing, permanent supportive housing, and other long-term housing solutions.

The bill also provides $9.96 billion to support homeowners at risk of foreclosure, and $100 million for housing counseling. An additional $5 billion is expected to be provided in a separate bill for utility assistance through the Low Income Home Energy Assistance Program (LIHEAP).

Take Action

- Contact your senators and representatives and urge them to quickly enact a comprehensive relief package that includes these resources and provisions and other essential relief for low-income and marginalized people.

- Hear the latest updates and learn more about needed advocacy: join our weekly national call on Coronavirus, Disasters, Housing and Homelessness.

Sign Your Organization on to Letter Supporting Increased Congressional Funding for Housing and Homelessness Resources TODAY!

Advocates for housing, community development, and ending homelessness are working together to urge Congress to provide the highest possible funding for HUD and U.S. Department of Agriculture (USDA) housing and community development programs for fiscal year (FY) 2022. NLIHC encourages all our member and partner organizations to sign on to the letter at: tinyurl.com/4vq836e6

In the coming weeks, Congress will decide how to divide available funding for FY22 among the 12 appropriations subcommittees. These funding allocations for subcommittees, called 302(b) allocations, will determine how much funding is available for HUD and USDA programs on housing, homelessness, and community development in FY22.

State and local governments and the communities they serve rely on federal resources to meet the infrastructure needs of their communities, including community development and accessible, affordable housing. Increased investments are ever more critical this year as families struggle to make ends meet and our nation's affordable housing crisis worsens due to the COVID-19 pandemic.

It is critical that the Transportation, Housing, and Urban Development (THUD) and Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Subcommittees in both the House and Senate receive the highest possible 302(b) allocations. Adequate 302(b) allocations will help the subcommittees have the resources they need to fund the homeless, affordable housing and community development programs at levels that exceed current spending and meet the level of need caused by the pandemic.

Read the letter and sign your organization on at: tinyurl.com/4vq836e6

Coronavirus, Disasters, Housing, and Homelessness – Highlights

House and Senate Advance Coronavirus Relief Legislation through Budget Reconciliation Process
The Senate, in the early morning of February 5, passed a budget resolution containing coronavirus relief provisions. The resolution passed by a vote of 51-50, with Vice President Kamala Harris casting the tie-breaking vote. After passing the Senate, the budget resolution was taken up by the House, which passed the Senate-amended resolution the same day by a vote of 219-209.

The Senate’s vote came after a 15-hour “vote-a-rama,” a process in which senators have up to 20 hours to debate amendments to the budget resolution. Senate Republicans filed over 400 amendments, many of which were not relevant to the resolution – a violation of the “germaneness rule” that governs the budget resolution process – but were used to get Senate Democrats on the record for supporting supposedly controversial measures, like allowing undocumented immigrants to access coronavirus relief.

Senators adopted an amendment proposed by Senators Todd Young (R-IN) and Tom Cotton (R-AR) limiting access to coronavirus relief for immigrants with taxpayer identification numbers. A list of the amendments adopted by the Senate can be found here.

With both chambers having adopted identical budget resolutions, Congressional leaders will now begin the process of drafting the $1.9 trillion coronavirus relief legislation, the next step in the budget reconciliation process. The House Financial Services Committee, which has jurisdiction over federal housing and community development programs, received a topline funding number of $75 billion. The Committee announced on February 5 that the bill will include $25 billion in rental assistance including: $19.05 billion for emergency rental assistance (ERA); $5 billion for emergency housing vouchers; $750 million for tribal housing needs; and $100 million for rural housing. The bill also provides $5 billion to assist people who are homeless with immediate and longer-term assistance, $9.96 billion for homeowner assistance, and $100 million for housing counseling. The House Financial Services Committee will vote on the bill this week.

Once committees vote on its respective bills, they will then move to the House and Senate Budget Committees, which will compile the sections into a larger omnibus package and hold another vote before the bills are introduced in the House and Senate for a full floor vote. Under budget reconciliation, the legislation will need only 51 votes to pass the Senate, as opposed to the usual 60. Congressional leaders and the White House aim to enact the relief legislation before March 14, when expanded unemployment assistance is set to expire.

Confirmed: FEMA Change to 100% Reimbursement for Non-Congregate Shelter Applies Retroactively

In an Executive Order released last month, President Biden announced that FEMA would be fully covering eligible costs related to coronavirus-related non-congregate sheltering for individuals experiencing homelessness through its FEMA Public Assistance (PA). NLIHC President and CEO Diane Yentel spoke with the White House and FEMA to confirm that the change will apply retroactively to completed coronavirus-related non-congregate sheltering from January of 2020 through the present – a change that would have not been possible without the advocacy of the Disaster Housing Recovery Coalition (DHRC) and its members and partners. Typically, PA covers 75% of eligible costs, and state or local governments are required to pay the remaining 25%. This change means that state and local governments will receive 100% reimbursement for all approved non-congregate sheltering costs they have incurred since the start of the pandemic through September 30, 2021.

For projects that have already been approved, FEMA will amend the existing awards to adjust the federal funding amounts. In a statement clarifying President Biden’s directive on the subject, FEMA stated that the agency would handle award adjustment on its own and no action is needed from grantees to receive this additional reimbursement. FEMA also updated and extended their policy for disaster-related non-congregate sheltering.
sheltering, which the agency has been using to ensure that survivors of disasters such as hurricanes and wildfires can safely shelter without further spreading the coronavirus.

This policy change will enable states and communities to address the urgent health and housing needs of people experiencing homelessness and other residents of congregate facilities during the pandemic. Over the past year, advocates and elected officials have used the FEMA PA program to move people experiencing homelessness into hotel rooms and other non-congregate shelters to safely isolate and quarantine. FEMA’s move to provide 100% reimbursement for the cost of non-congregate sheltering in hotel and motels and apply this reimbursement retroactively will mean that additional areas of the country can access and expand this important program that quite literally is saving lives.

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**Senators Urge Treasury to Ensure People Experiencing Homelessness Receive Economic Relief Payments**

Senator Tina Smith (D-MN) and 28 of her Senate colleagues sent a letter to Treasury Secretary Janet Yellen on February 3 urging the Treasury Department to publish specific procedures addressing how people experiencing homelessness can access the stimulus payments provided in the latest coronavirus relief package.

“People experiencing homelessness have been disproportionately impacted by the negative health effects of COVID-19 and the unprecedented economic crisis that has followed,” the letter stated. “Overcrowding in shelters, the lack of basic hygiene and sanitation in outdoor encampments, and barriers to accessing health care and economic opportunities are added challenges that people experiencing homelessness have faced over the past nine months. While it is clear that we all must do more to provide safe, stable housing for these individuals, we also must ensure that these communities are not left behind as the Treasury Department distributes economic relief payments.”

The letter also urged the Treasury Department to offer expanded guidance for individuals who do not need to file taxes and provide additional options for people with limited or no internet access to claim their payments. The senators suggested Treasury should work with HUD to conduct outreach to local Continuums of Care and social service organizations, which have experience disseminating resources and information to people experiencing homelessness.

Senator Smith led a letter last April encouraging then Treasury Secretary Steven Mnuchin to issue similar guidance for economic impact payments provided in the CARES Act (see Memo, 4/13/20). NLIHC assisted the senator’s office in drafting both letters.

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**House Financial Services Committee Holds Hearing on COVID-19 Stimulus**

The House Financial Services Committee held a remote hearing, “More than a Shot in the Arm: The Need for Additional COVID-19 Stimulus,” on February 4. Witnesses included Clarence Anthony, CEO and executive director of the National League of Cities; Derrick Johnson, president and CEO of the National Association for the Advancement of Colored People (NAACP); Janet Murguía, president and CEO of UnidosUS; Dr. William Spriggs, chief economist at the American Federation of Labor and Congress of Industrial Organizations (AFL-CIO); and Dr. Michael Strain, economist at American Enterprise Institute.

The witnesses offered testimony and answered questions about the current state of labor, housing, and rental markets, and the urgent need for emergency pandemic relief. In Chairwoman Maxine Water’s opening statement, she reflected on the disproportionate burden on housing insecurity on families of color:
“This is the first week of Black History Month. While there is much to celebrate and honor, we know that this pandemic has taken a particular toll on renters and homeowners of color. According to the latest census data, renters and homeowners of color are significantly more likely to be behind on their rent or mortgage, putting them at greater risk for eviction and foreclosure. Before the start of the CDC’s eviction order, researchers estimated that up to 40 million renters could face eviction. More recently, Moody's Analytics estimated that renters owe more than $57 billion in back rent, utilities, and additional fees.”

Watch the full hearing and read witness testimonies at: http://bit.ly/36NrXo5

Coronavirus, Disasters, Housing, and Homelessness – Resources


“Strengthening Partnerships for Better Health Outcomes During COVID-19” highlights three sites – Atlanta, GA, Chicago, IL, and the state of Connecticut – that have developed strong partnerships between Continuums of Care and health care practitioners to address the healthcare needs of people experiencing homelessness. Using the experiences of practitioners and advocates at these three sites, the brief provides an overview of tips and best practices for developing strong healthcare partnerships.

Barbara DiPietro, PhD, senior director of policy at the National Health Care for the Homeless Council and lead author on the brief, will join NLIHC’s National Call on Coronavirus, Disasters, Housing, and Homelessness today (February 8) at 2:30 pm ET. Register at: tinyurl.com/ru73qan

The Framework for an Equitable COVID-19 Homelessness Response regularly provides updated guidance and new briefs for advocates interested in designing homelessness response systems based in equity. Most recently, the Framework team released “Making the Case for Homeless Families and Children During the Pandemic,” which provides communities with the information they need to tailor services and support to meet the unique needs of children and families experiencing homelessness. Partners in the Framework include: the National Low Income Housing Coalition, National Alliance to End Homelessness, National Health Care for the Homeless Council, Center on Budget and Policy Priorities, National Innovation Service, Urban Institute, Barbara Poppe and associates, and Matthew Doherty Consulting.

Review all Framework materials at: housingequityframework.org/

Access the brief on healthcare partnerships at: tinyurl.com/3k8esbyw

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 8) national call on coronavirus, disasters, housing, and homelessness at 2:30-4 pm ET. We will be joined by Representative Emanuel Cleaver (D-MO), chair of the House Financial Services Subcommittee on Housing, Community Development, and Insurance.

Barbara DiPietro of the National Health Care for the Homeless Council will provide an overview of a new Framework resources on building healthcare partnerships to meet the needs of people experiencing homelessness. We will also learn about the National COVID-19 Borrower Awareness Campaign, discuss the latest news on the next COVID-19 relief package, receive updates from the field, and more.

Register for the national call at: https://tinyurl.com/ru73qan
See the full agenda here.

Recording Available of NLIHC’s February 1 National Call on “Coronavirus, Disasters, Housing, and Homelessness”

During the most recent national call on coronavirus, disasters, housing, and homelessness, we shared the latest updates on emergency rental assistance (ERA) programs, discussed the impact of utility disconnection and eviction moratoriums on COVID-19 infection and mortality rates, received an updated estimate of rental arrears, discussed state and local strategies to protect tenants during the COVID-19 emergency, and received field updates from Louisiana, Texas, and California.

NLIHC staff provided updates on the CDC’s extension of the eviction moratorium and highlighted the need for improvements to the moratorium and additional rental assistance. NLIHC is urging the Biden administration to rescind the Department of Treasury’s ERA Frequently Asked Questions document and make changes so that funding is accessible to those most in need.

Kay Jowers from Duke University discussed a recent study on the impacts of utility disconnection and eviction moratoriums on COVID-19 infections and mortality. The study suggests eviction moratoriums contributed to a cumulative reduction in COVID-19 infections by 3.8% and deaths by 11%, and utility disconnection moratoriums have contributed to a cumulative decrease in COVID-19 infections by 4.4% and deaths by 7.4%.

We received updates from Mark Zandi of Moody’s Analytics on estimates of the amount of back rent owed. Estimates suggest that by June, there will be at least 6,694,071 delinquent renters, owing an average of $6,148 each, if there is no additional fiscal support provided by Congress.

Noëlle Porter from the National Housing Law Project shared state and local strategies to protect tenants during the COVID-19 emergency, and provided updates on the Safe at Home Act and the Model for Local Tenant Protection Ordinances. We received field updates from HousingLOUISIANA, Councilmember Greg Casar of Austin, Texas, and Public Advocates and HousingNow! California.

NLIHC hosts national calls on Coronavirus, Disasters, Housing, and Homelessness every week. On today’s call, we will be joined by Rep. Emanuel Cleaver (D-MO-5). Register for today’s call (Monday, February 8 at 2:30 pm ET) at: https://tinyurl.com/ru73qan

Watch a recording of the February 1 call at: tinyurl.com/1mewqb6z
Access presentation slides at: tinyurl.com/bq19h7nz
Additional Coronavirus Updates – February 8, 2021

Updated NLIHC Resources

- FAQ: Eligibility for Assistance Based on Immigration Status [Español]
- National Eviction Moratorium: FAQ for Renters [Español]
- Overview of Federal Eviction Moratorium
- NLIHC Top Priorities

National Updates

Centers for Disease Control and Prevention

CDC Director Dr. Rochelle Walensky on January 29 issued an order extending the federal eviction moratorium through March 31, 2021.

Department of Agriculture

In accordance with CDC guidance, the USDA announced an extension of eviction protections for the tens of thousands of individuals in USDA-supported multifamily housing communities.

Department of Housing and Urban Development

HUD announced on January 29 it has awarded $2.5 billion to renew support to thousands of homeless assistance programs across the nation. HUD’s Continuum of Care (CoC) grants will provide critically needed support to 6,597 community-based housing and service providers. Due to the pandemic, the process was significantly streamlined.

HUD issued a message on COVID-19 Vaccination (Updated January 29) following the Biden Administration’s release of the National Strategy for the COVID-19 Response and Pandemic Preparedness. The National Strategy identifies homeless shelters as an example of a congregate setting that could facilitate the spread of infection, also emphasizing that “[b]ecause many people who are homeless are older adults or have underlying medical conditions, they may also be at increased risk for severe illness.” The strategy affirms that the U.S. will “work to ensure that the vaccine is distributed quickly, effectively, and equitably, with a focus on making sure that high-risk and hard-to-reach communities are not left behind.”

FEMA

NLIHC President and CEO Diane Yentel spoke with the White House and FEMA on February 3 to confirm their intention to implement President Biden’s executive order by directing FEMA not only to cover the full costs of moving individuals experiencing homelessness into hotels and motels, but also to apply full funding retroactively. For more details, see FEMA’s statement released today clarifying President Biden’s directive.


Reporting

Housing advocates are concerned that President Biden’s extension of the federal eviction moratorium does not address the moratorium’s significant shortcomings. In addition to strengthening and enforcing the moratorium, additional funding for rental assistance is urgently needed. “Eviction moratoriums postpone housing instability, but they don’t prevent evictions – because the rent is still due,” NLIHC President and CEO Diane Yentel told NBC News.
USA Today explains why millions of Americans may face eviction despite President Biden’s executive order extending the federal eviction moratorium through March 31. Because the moratorium’s protections are not automatic, marginalized renters – such as seniors, immigrants, and the lowest-income renters – are at greater risk for eviction. “They are often the ones that are most in need of the protections but the least aware of the actions they need to take to receive it,” says NLIHC President and CEO Diane Yentel.

Peter Hepburn of the Eviction Lab outlines how the formula that the Treasury Department used to allocate emergency rental assistance funds will lead to significant inequities. The formula, which was used to distribute money in the Coronavirus Relief Fund, does not make sense in the context of rental assistance.

An op-ed in the New York Times discusses how the lack of reliable, consistent data on eviction across the U.S. leaves the Biden administration and state and local governments with limited ways to track and assist communities most at risk of eviction and homelessness. The authors urge the government to create a federal eviction database, which the bipartisan “Eviction Crisis Act” would establish.

Jim Parrott and Mark Zandi published an op-ed in CNN Business discussing the country’s looming eviction crisis and how President Biden’s stimulus plan could protect millions of struggling renters. The authors urge policymakers to ensure states and localities can efficiently and effectively distribute the $25 billion in emergency rental assistance and pass President Biden’s proposed $35 billion for rental assistance.

The Los Angeles Times reports that millions of renters are facing a snowballing financial burden that threatens to deplete their savings, harm their credit, and force them from their homes. It could take renters, especially those with the lowest-incomes, years to recover. “We are setting up millions of people for long-term harm and a cycle of economic and housing instability,” said Emily Benfer, chair of the American Bar Association’s COVID-19 Task Force Committee on eviction.

An op-ed in Newsweek by John Pollock and Emily Benfer discusses how the federal eviction moratorium’s shortcomings, logistical challenges with distributing rent relief, and the inadequacy of $20 million to address tenant representation nationwide means a tsunami of evictions will continue to threaten the U.S. Local, state, and federal governments and the courts must take action to prevent the looming eviction crisis.

State and Local News

Arizona

Despite the federal eviction moratorium, some Pima County landlords continue to evict tenants by using a loophole concerning technicalities in contracts. Evictions due to “material breach of contract” have been spiking since the CDC moratorium went into effect. The Pima County Board of Supervisors voted 4-1 to expand protections for renters by closing this loophole.

California

Los Angeles Mayor Eric Garcetti instructed his team and the Los Angeles Homeless Services Authority to move hundreds of individuals experiencing homelessness into empty hotel and motel rooms. The announcement follows President Biden’s executive order directing FEMA to reimburse 100% of the costs of non-congregate sheltering.

San Francisco city officials who championed Project Roomkey see President Biden’s executive order directing FEMA to provide 100% reimbursement for non-congregate sheltering as an opportunity not only to keep the hotel program going, but to expand it. “Now we can open more spots for people experiencing homelessness to stay safe during the rest of this pandemic,” Supervisor Hillary Ronen, a proponent of the hotels, tweeted on Thursday following the announcement. “Can’t wait to work with Federal & State leaders on permanent fixes to homelessness.”
NBC Bay Area reports that Oakland landlords have sent hundreds of eviction notices to tenants during the pandemic, despite the federal moratorium and the city’s eviction moratorium.

The Fresno Bee reports that despite the federal and state eviction moratoriums, some California renters continue to be forced from their homes. Central Valley Legal Services has 200 open eviction cases in the San Joaquin Valley, which represents only a fraction of the people losing their housing.

**Florida**

Jacksonville Mayor Lenny Curry announced a new initiative called Pathway to Home to help individuals experiencing homelessness. The program will offer hotel rooms and additional services to help individuals find permanent housing solutions. The city’s hotel program, which predates the Pathway to Home initiative, is currently serving 227 individuals. The announcement follows reports that the city may evict residents of a downtown Jacksonville encampment.

Federal CARES Act funds and other dollars will be used to move Jacksonville residents experiencing homelessness into hotels and then into permanent housing within 30 days through the city’s Pathway to Home initiative.

*Florida Weekly* discusses the pandemic’s impact on homelessness in Collier County, noting local efforts to support individuals who are homeless, housing insecurity, and food insecurity.

**Georgia**

WABE discovered that several Georgia judges are refusing to acknowledge the CDC eviction moratorium in court.

**Kentucky**

The Kentucky Equal Justice Center filed a lawsuit in federal court on February 1 challenging the Jefferson County District Court’s failure to notify Kentuckians facing eviction of the location of their Zoom eviction hearings.

**Maryland**

Scott Poyer, clerk of the Anne Arundel County Circuit Court, which has 500 evictions pending, urges state legislators to take action to prevent a wave of evictions and foreclosures. He recommends legislators pass the “2021 Housing Justice Package.” The package includes relief for tenants and homeowners, reforms to the current eviction system, and financial relief for landlords.

According to the Public Justice Center (PJC), over 2,500 families were legally evicted in Maryland during the pandemic. PJC and other advocates testified before the Senate Judicial Proceedings Committee on January 28 in support of SB154, which would create the right to an attorney in eviction cases for Maryland renters.

**Michigan**

The Michigan Coalition Against Homelessness is calling on the state legislature to disburse the $600 million in rental and utility assistance from the Consolidated Appropriations Act, stating: “Each day that passes without these funds being appropriated by our state Legislature not only puts renters and landlords at risk of evictions but also threatens Michigan’s ability to spend out the federally allocated dollars before they are lost to recapture.”

**Nevada**
The Clark County Commission is considering the possibility of establishing a right to counsel for all tenants facing eviction. While the commission has taken no formal action, Commissioner Tick Segerblom called attention to the nationwide right to counsel movement and stated his interest in potentially establishing guaranteed counsel in the Las Vegas area.

New Jersey

New Jersey advocates are urging lawmakers to pass “The People’s Bill” (S2340/A4034) to prevent a tsunami of evictions when Governor Phil Murphy’s eviction moratorium is lifted. The legislation, designed to prevent mass evictions, was passed by the Assembly in July 2020, then amended and sent back to the Senate where it has remained since November.

New York

A coalition of New York City housing and homeless advocates, joined by the city’s top real estate group, is calling on the city and state to expand and improve three rental assistance programs to help struggling households at risk for eviction.

PUSH Buffalo, a member of the Housing Justice for All coalition, is going door-to-door to educate renters on the tenant hardship declaration that must be filed by February 25 to be protected from eviction.

Ohio

Lucas Metropolitan Housing (LMH) on January 28 extended its eviction moratorium through April 30. The moratorium applies to all LMH tenants, regardless of whether the pandemic has impacted their tenants. LMH manages 2,633 public housing units, most of them in Toledo and largely rented to low-income Black women with children.

Oregon

Home Forward, Oregon’s largest provider of affordable housing, has earned a reputation as being tolerant with the low-income tenants it serves in the properties it manages directly. Income Property Management, the company with which Home Forward contracts for much of its housing stock, has filed to evict nearly three times as many households from Home Forward-owned properties than has Home Forward itself.

The Bend City Council voted to enter a purchase and sale agreement with the intention of transforming the Old Mill Inn & Suites Motel into a homeless shelter. Project Turnkey would provide the funds to purchase the hotel.

Pennsylvania

Harrisburg Mayor Eric Papenfuse issued an executive order to ban all evictions and fine landlords up to $10,000 who attempt to evict tenants. Mayor Papenfuse puts these additional protections in place to address loopholes in the CDC eviction moratorium.

Texas

The Texas Tribune reports that a statewide $1.3 billion rental assistance program that could help tenants with up to 15 months of rent will launch in two weeks. According to the Texas Department of Housing and Community Affairs (TDHCA), the program should serve around 80,000 households. TDHCA will provide updates on applying for assistance through their website and mailing list.

The Austin City Council voted on January 27 to purchase one hotel and convert it into 60 units of permanent supportive housing for individuals experiencing homelessness. The city will use funds diverted from its police budget to provide wraparound services for individuals who will reside at the hotel. Austin city residents
protested outside of the Candlewood Suites hotel, which the city will purchase to provide temporary housing for individuals who are homeless.

Washington

The Seattle Times reports that Washington lawmakers are seeking to end the eviction moratorium, while preventing a tsunami of evictions once it is lifted. The lawmakers are split on how to do so. While some have proposed a package of bills that could assist struggling renters, others are seeking to permanently alter the power dynamic between tenants and landlords.

Police in Olympia arrested seven individuals and removed dozens of homeless activists who were occupying a downtown hotel to secure housing for individuals experiencing homelessness. The group, Oly Housing Now, called on the Thurston County Health Department to apply for FEMA reimbursement for non-congregate sheltering.

Wisconsin

Milwaukee-area shelters and food pantries experienced a significant demand for need in 2020. The Milwaukee Journal-Sentinel explores how these organizations have stepped up to meet the growing need for aid.

Guidance

Centers for Disease Control and Prevention

Temporary Halt in Residential Evictions to Prevent the Further Spread of COVID-19 – January 29, 2021

Department of Agriculture

Actions Taken by USDA Rural Development to Help Rural Residents, Businesses, and Communities Impacted by the COVID-19 Pandemic – Updated January 29, 2021

Department of Housing and Urban Development

New Resources for DCTA Recipients and Smaller Distressed Communities – Updated January 29, 2021
Weekly COVID-19 Vaccine Update for Homeless Service Providers – January 29, 2021

Additional Disaster Housing Recovery Updates - February 8, 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 and Events

Join the Emerging Leaders Peer Network on Thursday, February 18, at 5:30 pm PST for a virtual watch party and discussion on Rebuilding Paradise. From director Ron Howard, Rebuilding Paradise tells the story of how a
community ravaged by the devastating Camp Fire came together to recover what was lost and begin the task of rebuilding.

Puerto Rico

The *New York Times* reports the Biden administration announced it will release $1.3 billion in aid that Puerto Rico can use to protect against future climate disasters. Additionally, the administration is starting to remove some restrictions put in place by the Trump administration on spending that was meant to help Puerto Rico rebuild after Hurricane Maria in 2017.

HUD and Puerto Rico’s housing department, Departamento de la Vivienda, announced two partial approvals of Vivienda’s Action Plan, approving the use of $6 billion in Community Development Block Grant Mitigation (CDBG-MIT) funding for Puerto Rico. “HUD and the Biden Administration are committed to working with Puerto Rico to reset our relationship on the island’s recovery efforts, and the action we are taking will play a key role in this effort by ensuring that Puerto Rico is able to access and spend critical disaster and recovery funds on urgent unmet needs,” said Arthur Jemison, HUD’s Principal Deputy Assistant Secretary for the Office of Community Planning and Development.

Wildfires in the West

In response to the devastation caused by last year’s Oregon wildfires, FEMA is soliciting owners with properties previously used as multi-family rental housing, that with financial assistance, could be quickly repaired to local, state, and federal codes and standards.

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**HUD**

Committee Advances Nomination for HUD Secretary-Designate Marcia Fudge to Full Senate

The Senate Banking, Housing, and Urban Affairs Committee advanced the nomination of HUD Secretary-designate Marcia Fudge (D-OH) to the full Senate on a 17-7 bipartisan vote. In her confirmation hearing, Representative Fudge expressed her commitment to work with all members of Congress to address HUD’s largest challenges, including the coronavirus pandemic and its economic fallout (see Memo, 2/1). A full Senate vote to confirm Representative Fudge is expected to occur later this week. If confirmed, Representative 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 Chairman Sherrod Brown (D-OH), Ranking Member Pat Toomey (R-PA), and members of the Senate Committee on Banking, Housing, and Urban Affairs. The letter urges swift confirmation, stating:

> “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 committee vote can be found Senate Committee on Banking, Housing, and Urban Affairs’s website at: [http://bit.ly/3aEduf8](http://bit.ly/3aEduf8)
HUD’s Office of Inspectors General Reviews Landlord Incentives at Moving to Work (MTW) Demonstration PHAs

HUD’s Office of the Inspector General (OIG) issued *Use of Landlord Incentives in the Housing Choice Voucher Program* (Memorandum No: 2021-LA-0803), a limited review conducted to determine the use of landlord incentives in the Moving to Work (MTW) Demonstration program to increase landlord participation and retention in the Housing Choice Voucher (HCV) program. The review also considered landlord incentives to expand housing options for voucher households outside areas of low-income or minority concentration.

Thirty-four of the existing 39 public housing agencies (PHAs) participating in the MTW program responded to an OIG questionnaire. OIG selected 24 PHAs for follow up phone interviews, 22 of which were completed.

Of the 34 PHAs that responded to the questionnaire, 28 (82%) indicated that they used some form of incentive to recruit or retain landlords in the HCV program during the period January 1, 2016 through December 31, 2019. Of the 28 PHAs, 27 (96%) used nonmonetary incentives, 20 (71%) used monetary incentives, and 19 (68%) used a combination of monetary and nonmonetary incentives.

OIG identified the five nonmonetary incentives that were most popular: direct housing assistance payment deposit, online access specifically for landlords’ use (a portal), workshops and outreach activities, landlord liaison, and streamlining the inspection process. The report also identified the most popular monetary incentives:

1. Bonuses to landlords new to the HCV program
2. Property damage reimbursements
3. Vacancy loss or bonuses for renting to another voucher household (“re-rent”)
4. Higher payment standards for high-opportunity areas
5. Bonuses for new landlord in high-opportunity areas
6. Security deposit assistance

Eighty-two percent of the PHAs indicated that the incentives, in general, were effective in keeping landlords in the program, but 61% indicated that incentives were not as effective at getting existing landlords to add more units.

Of the five most popular nonmonetary incentives, direct deposit and landlord portals were considered most effective, while the monetary incentives thought most effective were new landlord bonuses, property damage reimbursements, and vacancy loss payments/re-renting bonuses. One PHA working with many corporate landlords reported that its $100 new landlord bonus was not effective because it created an accounting problem for the corporate landlord. OIG noted that incentives cited as most effective addressed common landlord concerns such as streamlining the inspection process and having a single point of contact (a liaison or move-in desk).

Some of the most popular incentives used by the PHAs included new landlord bonuses (used by 10 PHAs), vacancy loss re-rent (continuity) bonuses, and landlord liaisons. One PHA stated that the vacancy loss re-rent (continuity) bonus was particularly effective because landlords did not lose rent while waiting for a new tenant to be processed.
One of the more popular nonmonetary incentives was the landlord liaison. Used by nine PHAs, the liaison was either a dedicated PHA employee or one whose duties included other PHA activities. One PHA had a liaison who streamlined the landlord on-boarding process and served as its single point of contact. The use of a move-in desk was staffed by a separate position, which kept the inspection process on track and used reminder software specific to that purpose.

In high-opportunity areas, one PHA said that it used small-area fair market rents (SAFMRs) while also streamlining its inspection and lease-up procedures. As a result, it thought its voucher households were more competitive with market-rate tenants.


More information about MTW is on [page 4-57](#) of NLIHC’s 2020 Advocates’ Guide.

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**DHS**

**President Biden Signs Executive Orders on Immigration Reform, Including Public Charge Directives for Agencies**

President Joe Biden signed three Executive Orders (EOs) on immigration reform on February 2, including an order on “[Inadmissibility on Public Charge Grounds](#),” which sets into motion changes to the previous administration’s harmful Public Charge rule. The Executive Order “[Restoring Faith in Our Legal Immigration Systems and Strengthening Integration and Inclusion Efforts for New Americans](#)” directs agencies to develop strategies that promote integration, inclusion, and citizenship.

In the EO regarding public charge, Section 4 (Immediate Review of Agency Actions on Public Charge Inadmissibility) orders the secretary of state, attorney general, secretary of Homeland Secretary, and heads of other relevant agencies to review all agency actions related to the implementation of the Public Charge rule and examine the effects of the previous administration’s harmful changes to the rule (see [Memo, 08/19/2019](#)). The EO further orders that they consult with the heads of relevant agencies, including the secretary of Agriculture, secretary of Health and Human Services, and secretary of HUD in considering the effects and implications of public charge policies.

The Departments of State, Justice, and Homeland Security are ordered to submit a report to the president within 60 days identifying appropriate agency actions to address concerns about the current public charge policy’s effect on the integrity of the nation’s immigration system and public health, along with recommended steps agencies can take to communicate current public charge policies and proposed changes to reduce fear and confusion among impacted communities.

The implementation of the Public Charge rule resumed on January 22 after the U.S. Court of Appeals for the Ninth Circuit has delayed its preliminary injunction order made on December 2 (see [Memo, 12/07/2020](#)). The Ninth Circuit granted DHS a request to delay the effective date of the preliminary injunction until the U.S. Supreme Court determines if it will hear public charge challenges seeking review.

The Executive Order is an important step toward the elimination of the Trump administration’s restrict Public Charge policies, but immediate action is needed to limit the [demonstratable](#) chilling effect the rule has had on immigrant families pursuing public benefits and supports and the potential to deter families from receiving COVID-19 testing and treatment.
It is important to note that the Public Charge Rule will not apply to testing, screening, or treatment of communicable diseases including COVID-19. In addition, the rule does not restrict access to vaccines for children or adults to prevent vaccine-preventable diseases. Readers are encouraged to read the updated fact sheet “Public Charge: What Advocates Need to Know Now” for more information and key messages to share.

The Executive Order does not make any reference to the previous administration’s harmful proposal to the HUD Mixed Status rule (see Memo, 05/13/2019). The final rule was never published, but the proposal remains on the Federal Register at the time of this writing. While this proposed rule does not impact current regulation, the administration and HUD must work immediately to rescind this rule to limit confusion and begin to work to address the needs of mixed status families.

The preliminary injunction on the DOS Public Charge Rule remains in effect nationwide (see Memo, 08/03).


Read the Executive Order in the Federal Register at: http://bit.ly/3aArR4i

Visit the Protecting Immigrant Families (PIF) Campaign website for more information and resources on the Public Charge Rule at: https://bit.ly/3kENXH3

PIF’s Updated “Public Charge: What Advocates Need to Know Now” can be found at: http://bit.ly/3jj6FDF

NLIHC Events

“Best Practices in Organizing” to be Featured at NLIHC Virtual Housing Policy Forum 2021, March 30-31

NLIHC’s Virtual Housing Policy Forum 2021: A New Day, taking place March 30-31 from 1-5 pm ET, will feature a special session on the best practices in organizing for affordable homes, featuring the 2020 and 2021 winners of NLIHC’s Organizing Awards. This session will highlight the important work and landmark victories of local organizing campaigns throughout 2020 through a panel discussion on such topics as: efforts to effectively involving residents in policy campaigns, the best practices for elevating persuasive messaging and engaging elected officials, and more. Register today to attend this and other compelling sessions at: http://bit.ly/NLIHCForum21
There will also be special presentations from key leaders in Congress, including House Speaker Nancy Pelosi (D-CA), Senator Rob Portman (R-OH), and Representative Maxine Waters (D-CA), as well as keynote speakers and panels on Racial Equity and Housing Justice; What the Elections Mean for Affordable Housing/Capitol Hill Insiders Panel; State and Local Emergency Rental Assistance Programs; Achieving Universal Housing Assistance; Coronavirus, Housing, and Homelessness: The Current State of Play; and more.


Celebrate the NLIHC 2021 Housing Leadership Awards honorees: Joy Johnson, long-time resident leader of the Charlottesville Public Housing Association of Residents (PHAR) and former NLIHC board member; Senator Sherrod Brown (D-OH), chair of the Senate Banking, Housing, and Urban Affairs Committee; Representative Maxine Waters (D-CA), chair of the House Financial Services Committee; and the Housing Justice Network of the National Housing Law Project. 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 Dolbeare Lifetime Service Award, named for NLIHC’s founder Cushing Niles Dolbeare, who has been called the “godmother” 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.
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. 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.

Representative Maxine Waters will receive a 2021 Edward W. Brooke Housing Leadership Award 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.
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.

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

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

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**Opportunity Starts at Home**

**Natural Resources Defense Council: “How HUD Can Address the Crisis of Housing & Climate Change”**

A new [blog](https://naturalresources.org) by the Natural Resources Defense Council (NRDC) explores major housing proposals made by President Biden and explains how housing represents a key element of the president’s climate strategy, which
calls for reducing the carbon footprint of the U.S. building stock 50% by 2035. The blog’s author, Khalil Shahyd, senior policy advocate at NRDC, recommends that HUD establish an Office of Climate Resilience and take on a “much larger role in the provision of energy efficiency services for affordable housing, particularly multifamily housing as part of a national climate mitigation strategy.” Among other recommendations, Shahyd urges HUD to create a robust affordable housing retrofit grant program, which would offer grants or loans for energy efficiency upgrades, health and safety measures, electrification, and solar panels in multifamily affordable housing.

“Many of the provisions in President Biden’s legislative proposal are a direct response to the acute needs generated by the COVID-19 pandemic,” writes Shahyd. “However, they also would deliver important, long-term improvements to critical housing and social safety net programs necessary to creating a more just response to the climate crisis. The rise in frequency of climate-induced extreme weather events only increases the pressure on an already anemic federal housing infrastructure…Housing has a critical role to play in the fight against climate change and must be seen as front and center to that effort.”

NRDC is a steering committee member of the Opportunity Starts at Home multisector affordable homes campaign. To read the blog, click here.

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.

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Research

Eviction and Utility Disconnection Moratoriums Led to Fewer COVID-19 Cases and Deaths

A National Bureau of Economic Research working paper, “Housing Precarity & the COVID-19 Pandemic: Impacts of Utility Disconnection and Eviction Moratoria on Infections and Deaths Across US Counties,” estimates that moratoriums on both eviction and utility disconnection effectively prevent COVID-19 infections and deaths. For example, eviction moratoriums reduced COVID-19 infections by 3.8% and reduced deaths by 11%. The researchers also find that these effects would have been significantly greater if local moratoriums had been in place since March 2020.

Evictions and utility shutoffs can have damaging effects on a household’s health and well-being, especially during a pandemic, when social distancing and other public health measures limit exposure to the virus. Households that are evicted may have to double up or enter shelters, increasing their risk of COVID-19 exposure. Energy shutoffs also threaten public health, as energy insecurity is associated with respiratory illnesses such as asthma and pneumonia that can make a COVID-19 infection more severe. To address these risk factors, federal, state, and local governments have adopted policies such as eviction and utility disconnection moratoriums to ensure households can remain safely in their homes.

The researchers focused on county-level policies, allowing them to isolate the effect of local policies on COVID-19 spread while controlling for federal and state policies. The researchers use a series of models to predict the extent to which eviction and utility disconnection moratoriums impacted the rate of COVID-19 infections and deaths from March to November 2020. The researchers used COVID-19 infection and death data from the COVID Tracking Project and moratorium data from Princeton’s Eviction Lab, Columbia’s Health Justice Advocacy Clinic, the Food & Water Watch, and the National Association of Regulatory Utility Commissioners.
The researchers found that eviction moratoriums decreased COVID-19 infections by 3.8% and deaths by 11% compared to infection and fatality rates if no local policies had been implemented. Utility disconnection moratoriums also curbed the impact of COVID-19, reducing infections by 4.4% and deaths by 7.4%. Had local eviction moratoriums that were instituted between March and November been in place since the first day of the pandemic, these policies could have reduced COVID-19 infections by an estimated 14.2% and deaths by 40.7%. If utility disconnection moratoriums had been in place since the onset of COVID-19, infection rates could have been reduced by 8.7% and deaths by 14.8%.

The researchers estimate that had no eviction or utility disconnection moratoriums been implemented in any counties, the cumulative number of COVID-19 cases would be 4,805.6 per 100,000 by the end of November. With these policies in place, the actual estimated cumulative number of infections was 4,410.5 per 100,000 by the end of November. Further, the researchers found that if these local policies had been implemented at the beginning of the pandemic, they could have prevented 395 infections and 52 deaths per county, on average. While these findings are promising, the authors indicate that medium- and long-term solutions to housing security are also critical. Rent and utility assistance programs, for example, will be essential to providing relief as these moratoriums expire.

The paper can be found at: [https://bit.ly/36xEWtG](https://bit.ly/36xEWtG)

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**Fact of the Week**

**Share of Household Budget Spent on Housing Rose Fastest for Lower-Income Groups over 30 Years**

From the Field

Toledo City Council Passes Source-of-Income Discrimination and Pay-to-Stay Ordinances

The Toledo, OH City Council recently passed two major housing-related ordinances that will expand housing options and prevent evictions. Beginning in April 2021, housing discrimination based on a tenant’s means of payment will be banned, adding significant protection for low-income renters who use Housing Choice Vouchers. The other new protection will allow renters a “Pay-to-Stay” defense in eviction proceedings. The new law allows tenants to remain in their housing as long as they pay rent arrears and associated late fees.

In an 8-4 vote, council members replaced Municipal Code Ch. 54 on discrimination to include “source of income” as a category a landlord cannot discriminate against potential renters. This pertains to landlords who previously would not accept applications from households using vouchers or participating in other public assistance programs. Councilmember Nick Komives worked with the Fair Housing Center on this legislation, building support gradually for more than two years.

Some councilmembers spoke out against the passage of the ordinance, citing a lack of discussions on the hardships that this ordinance may create for landlords. Councilmember Komives argued that adjustments have been made to the inspection process, making it easier and faster for landlords considering applicants utilizing a federal housing subsidy.

The “Pay-to-Stay” ordinance passed unanimously as a commonsense solution to maintain housing stability when landlords receive full payment, even when the payment is late. Currently, landlords in Ohio are not required to accept late rent payments and may proceed with an eviction even if a tenant can make a payment covering the late rent. This ordinance further stipulates that landlords only can charge reasonable late fees. Councilmember Komives noted that this legislation was particularly important during COVID-19 when many tenants are unable to pay their rent due to financial hardship and might face eviction when the federal moratorium expires. Along with The Fair Housing Center, Advocates for Basic Legal Equality was helpful in successfully advancing these proposals.

Event

Register for NeighborWorks Virtual Training Institute Taking Place Feb. 15-19

NeighborWorks America’s quality training in community development, affordable housing and nonprofit management has gone virtual! The NeighborWorks Winter 2021 Virtual Training Institute (VTI) is happening February 15-19. Check out more than 60 up-to-the-minute courses on topics in the news and in the minds of our communities—including pandemic response, community engagement, equity, financial capability and more.

The VTI will feature a wide variety roundtable discussions, peer learning, and engaging sessions on personal and professional growth. On Wednesday, Feb. 17, the VTI will host a national symposium, "Shared Equity Housing: Creating Lasting Affordability and Community Ownership," exploring the opportunities and benefits of using shared equity strategies to keep homes permanently affordable and address community challenges and needs. Wednesday (4:30- 6:00 p.m.) also includes a workshop led by NLIHC on making change at the federal level. Register today and take your professional development, and your career, to the next level—safely, conveniently, and cost-effectively.
NLIHC Welcomes Neetu Nair as Research Analyst

NLIHC is pleased to welcome Neetu Nair as the Coalition’s newest research analyst. Neetu will help evaluate the effectiveness of state and local emergency rental assistance programs and other housing-related responses to the coronavirus pandemic and economic crisis.

Neetu received her Master of Urban and Regional Planning degree at the University of Michigan, where she focused on housing justice and climate equity. Neetu has advocated for land rights, tenure security and housing stability for extremely low-income communities internationally. In Brazil, she assessed housing needs in favelas and informal settlements, and partnered with União dos Movimentos de Moradia, São Paulo (Union of Housing Movements, São Paulo) to advocate for a national legislation for self-managed housing. In the US, she supported third-sector organizations in accessing housing, healthcare and educational services for refugee and migrant communities. In previous roles, Neetu worked on housing and community development through co-designed spaces in India. Neetu earned a Bachelor of Architecture with a concentration in urban design from R.V. College of Architecture in Bangalore, India.

Please join us in welcoming Neetu to the NLIHC team.

Follow NLIHC on Social Media and Stay Connected to the Latest Housing News

Connect with NLIHC on all our social media platforms: Twitter, Instagram, Facebook, and LinkedIn as we bring the latest housing issues to your feed. We will provide insights into key housing policy issues, the remarkable work of affordable housing advocates across the country, and more.
The following are some of the news stories that NLIHC contributed to during the week of January 31:

- “Millions of Americans could lose their homes despite Biden eviction moratorium order,” USA Today, February 2 at: http://bit.ly/3twQAPG
- “What research says about the $15 minimum wage and the affordable housing crisis,” Next City, February 2 at: https://bit.ly/3cJS178

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