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Homelessness and Housing First

National Organizations Condemn Biden-Harris Administration for Forcibly Removing Unhoused People from McPherson Square

The Biden-Harris administration forcibly removed unhoused people from an encampment in McPherson Square in Washington, D.C., on February 15 before all individuals in the encampment had been housed – an action [strongly condemned in a statement](#) by the [National Coalition for Housing Justice](#) (NCHJ) as cruel and counterproductive to efforts to end homelessness. NCHJ is a group of national organizations, including NLIHC, dedicated to ending homelessness by achieving housing justice through pursuing racially and economically equitable policies that affirm the right of everyone to an affordable, safe, accessible, and stable place to call home.

At the request of the local D.C. government, the National Park Service agreed to forcibly remove unhoused individuals from the city's largest encampment two months sooner than planned, making it more difficult for unhoused individuals in the encampment to be connected to safe alternatives. Forcibly removing unhoused individuals violates the best practices and proven solutions called for in the Biden-Harris administration's [federal strategic plan](#) on homelessness, and it undermines the administration's commitment to using a people-centered Housing First strategy, the success of its [House America](#) initiative, and its focus on [advancing racial equity](#). By forcibly removing people experiencing homelessness from McPherson Square and destroying their limited possessions, the Biden-Harris administration prioritized the comfort of housed neighbors and surrounding businesses over the urgent need to reconnect unhoused individuals to homes and services. The administration's failure to follow the best practices and proven solutions called for in its own federal strategic plan provides communities nationwide looking to sweep unhoused people out of public sight with an unjustifiable excuse to follow suit.

NCHJ made repeated offers to the [Biden-Harris administration](#) and [Bowser administration](#) to convene stakeholders, including the residents of McPherson Square, to develop a plan to rehouse unsheltered individuals as quickly as possible using best practices and proven solutions and to address the city's ongoing challenges in addressing homelessness. In addition to these letters, the coalition issued a [statement](#) urging the administrations to immediately halt the forced removal plans and reiterated its offer to convene stakeholders before the forced closure. Rather than accept NCHJ's offer, the Biden-Harris administration and the Bowser administration moved forward with forcibly removing individuals from McPherson Square.

In the [statement](#) condemning the forced removal, NCHJ urged the Biden-Harris administration to stop all future efforts to forcibly remove unhoused people from national parks and instead prioritize efforts to immediately connect individuals to housing, paired with the supportive services individuals may need and want, such as mental health and substance use counseling and employment services, among others. Supporting and prioritizing [Housing First](#) is a key step to ending homelessness that must be part of a comprehensive approach to addressing the crisis. To end homelessness, the administration and Congress must ensure rental assistance is universally available to all eligible households, expand the supply of housing affordable and available to people with the lowest incomes, and ensure critically needed services are widely available. These

solutions must be paired with anti-racist reforms to break down barriers that prevent access to critical resources and that perpetuate and deepen racial disparities.

“Today, the Biden-Harris administration failed to stand by the very principles and best practices it has espoused, instead resorting to the ‘out of sight, out of mind’ actions it urges communities to resist,” said NLIHC President and CEO Diane Yentel. “Using the National Park Service to forcibly remove residents from an encampment, ahead of schedule and well before most encampment residents have safe alternatives, is a blight on the Administration’s efforts to address homelessness. The administration’s unwillingness to hold itself accountable to its own federal strategic plan makes it all the more difficult to prevent other communities from using similarly harmful but politically convenient actions.”

NCHJ worked closely with [The Way Home Campaign](#), a coalition of nearly 7,000 people and 110 organizations committed to ending chronic homelessness in Washington, D.C., to coordinate a response to the forced removal at McPherson Square. Many of NCHJ’s member organizations were present in protest as the National Park Service forcibly removed individuals from McPherson Square.

Read NCHJ’s statement condemning the forced removal at: <https://bit.ly/3S3aPRp>

Read the letter to the Biden administration at: <https://bit.ly/3IbeGJb>

Read the letter to District officials at: <https://bit.ly/3JOR3Hn>

Register for Today’s (2/21) NLIHC, NAEH, CBPP Webinar on Homelessness and Housing First

NLIHC, the National Alliance to End Homelessness (NAEH), and the Center on Budget and Policy Priorities (CBPP) invite advocates nationwide to [register](#) for the third webinar in our series on homelessness and Housing First. Join us for the webinar, “Housing First Promotes Health,” **today** (February 21) at 2:30 pm ET!

The webinar will provide an overview of the research on Housing First and health, the important role state governments can have in bringing housing and supportive services together, and the opportunities and challenges for implementing Housing First for people with significant health challenges. Today’s webinar will feature Peggy Bailey, vice president for housing and income security at CBPP; Margot Kushel, director of the Benioff Homelessness and Housing Initiative at the University of California, San Francisco; Whitney Joy Howard, housing team unit manager at the Washington State Department of Social and Health Services; Christy Respress, president and chief executive officer of Pathways to Housing DC; and Eleanor Bradford, senior program director at Turning Point, board member of the Detroit Continuum of Care, and member of NAEH’s consumer advisory board.

Please note that this webinar is not a training, and webinar attendees will not receive a certificate of completion.

More than 7,000 people registered for the four-part webinar series held by NLIHC and our partners in August and September 2022. Given the tremendous interest among stakeholders and the increased risk of harmful measures to criminalize homelessness, we have decided to continue our national webinar series, with webinars being held monthly. We will share critical information about solutions to homelessness and amplify the work of advocates and people with lived expertise across the nation.

Did you miss the previous webinars on homelessness and Housing First? Check out the [webinar recaps](#), including links to the recordings and presentation slides.

The next webinar will be held on Monday, March 20, from 2:30 to 4 pm ET.

Register for the series at: <https://bit.ly/3vIbn5o>

Read more about Housing First at: <https://bit.ly/3vHf8YR>

Budget and Appropriations

Senate Democrats Release Report Outlining Impact of Potential Programmatic Cuts If FY24 Spending Is Capped at FY22 Levels

The Senate Democratic Policy and Communications Committee, led by Senator Debbie Stabenow (D-MI), released a [report](#) on February 15 detailing the impacts of potential funding cuts being proposed by Republicans in the U.S. House of Representatives who are pushing to cap fiscal year (FY) 2024 spending at FY22 levels in exchange for raising the debt ceiling. Senate Majority Leader Chuck Schumer (D-NY), Senate Appropriations Chair Patty Murray (D-WA), and Senators Debbie Stabenow (D-MI) and Sheldon Whitehouse (D-RI) unveiled findings from the report during a Senate [floor speech](#).

The report finds that, depending on how cuts are made, capping FY24 spending at FY22 levels would result in a funding decrease of between 12% (if cuts were made equally across all programs, including defense) and 30% (if defense and Veterans Affairs (VA) medical care were spared from the cuts). A [recent analysis](#) from the Center on Budget and Policy Priorities (CBPP) estimates that capping spending at FY22 levels could result in an average cut of 24% across non-defense programs, depending on which programs are prioritized.

The report notes that spending cuts would further exacerbate the nation's already critical affordable housing crisis and take away vital assistance from households who would otherwise struggle to keep a roof over their heads. For example, the proposed cuts would:

- **Reduce HUD rental assistance and homelessness assistance by \$6.6 billion**, putting the hundreds of thousands of people who rely on this assistance at risk of housing instability, eviction, and in the worst cases, homelessness. Public housing authorities (PHAs), which are charged with administering housing vouchers, would be forced to “pull existing vouchers from families searching for units or sever assistance altogether.”

- **Reduce funding to programs like the HOME Investment Partnership Program, resulting in 1,700 fewer affordable housing units constructed and 1,300 households losing rental assistance.**
- **Increase children’s risk of lead-based paint exposure** by cutting \$48 million in funding to address lead and other health hazards in low-income housing, impacting an estimated 3,000 households.
- **Exacerbate the affordable housing shortage in native territories by cutting \$120 million** from Native American housing programs.
- **Reduce funding for the Low Income Home Energy Assistance Program (LIHEAP) by \$472 million**, leaving many families with low incomes unable to heat or cool their homes, even in dangerous weather conditions.

The federal government is expected to run out of money to pay its bills between July and September of this year unless Congress acts to raise the statutory debt limit, according to a [recent report](#) from the Congressional Budget Office (CBO). House Speaker Kevin McCarthy (R-CA) has repeatedly called for steep budget cuts as a prerequisite for raising the country’s debt limit. However, the House Speaker has also pledged not to cut defense spending, or funding for Medicare and Social Security, leaving non-defense discretionary spending – including funding for vital affordable housing and homelessness programs – squarely on the chopping block. House Republicans are expected to release a topline preview of proposed budget cuts in April, after the President releases his FY24 budget request on March 9.

Cuts to housing benefits – just like work requirements, time limits, and other policies that impose needless barriers to housing – undermine housing stability, increase evictions, and lead to more homelessness. Cutting benefits does nothing to address the underlying cause of America’s housing and homelessness crisis: the widening gap between wages and housing costs, and a severe shortage of homes affordable to people with the lowest incomes. Imposing arbitrary restrictions on housing benefits will not create the well-paying jobs and opportunities needed to lift households out of poverty – rather, they will make it more difficult for households to maintain employment and economic security.

Take Action!

It is unacceptable to balance the federal budget by demanding cuts to programs that help the lowest-income households survive. There is a national shortage of approximately 7 million affordable, available homes for people with the lowest incomes, and only one in four households who qualify for federal housing assistance receives the help it needs. Without adequate funding for vital federal affordable housing and homeless assistance programs, households with the lowest incomes will continue to live precariously, only one missed paycheck or unexpected emergency away from housing instability, eviction, and, in the worst cases, homelessness.

- [Sign your organization on](#) to the Campaign for Housing and Community Development Funding’s (CHCDF) annual budget letter, calling on Congress to reject spending cuts and instead provide the highest possible allocation for HUD’s and USDA’s affordable housing, homelessness, and community development programs in FY24.

- [Email your members of Congress today](#) and urge them to increase – not cut – resources for affordable housing and homelessness in FY24 and to support NLIHC’s top appropriations priorities:
 - Full funding for the TBRA program to renew existing vouchers and to expand the program to an additional 200,000 households.
 - Full funding for public housing operations and repairs.
 - Full funding for HUD’s Homeless Assistance Grants program.
 - \$100 million for legal assistance to prevent evictions.
 - \$3 billion for a permanent Emergency Rental Assistance program.
 - Increased funding for the competitive tribal housing grants, targeted to tribes with the greatest needs.
- [Check out NLIHC’s advocacy toolkit](#), “Oppose Dramatic Cuts to Federal Investments in Affordable Housing,” for talking points, sample social media messages, and more!

Visit our [Take Action](#) page to learn about more ways you can get involved!

Congress

House and Senate Release Finalized Assignments for Key Housing Committees and Subcommittees

The U.S. Senate and House of Representatives have released finalized assignments for key housing committees and subcommittees.

In the Senate, the [Committee on Banking, Housing, and Urban Affairs](#) oversees legislation, petitions, and other matters related to financial institutions, economic policy, housing, transportation, urban development, international trade and finance, and securities and investments. The Banking Committee includes a Subcommittee on Housing, Transportation, and Community Development that has jurisdiction over mass transit systems and general urban affairs and development and is the primary oversight committee for HUD.

Members of the Senate Committee on Banking, Housing, and Urban Affairs and members of the Subcommittee on Housing, Transportation, and Urban Development (marked with an asterisk*) for the 118th Congress are as follows:

Majority Members

- Sherrod Brown (D-OH), *Chair*
- Tina Smith (D-MN),* *Subcommittee Chair*
- Jack Reed (D-RI)*
- Robert Menendez (D-NJ)*
- Jon Tester (D-MT)*
- Mark Warner (D-VA)

Minority Members

- Tim Scott (R-SC), *Ranking Member*
- Cynthia Lummis (R-WY),* *Subcommittee Ranking Member*
- Mike Crapo (R-ID)*
- Mike Rounds (R-SD)*
- Thom Tillis (R-NC)
- John Kennedy (R-LA)*

- Elizabeth Warren (D-MA)
- Chris Van Hollen (D-MD)
- Catherine Cortez Masto (D-NV)*
- Krysten Sinema (I-AZ)*
- Raphael Warnock (D-GA)*
- John Fetterman (D-PA)*
- Bill Hagerty (R-TN)*
- J.D. Vance (R-OH)*
- Katie Britt (R-AL)*
- Kevin Cramer (R-ND)
- Steve Daines (R-MT)

In the House, the powerful [House Financial Services Committee](#) (HFSC) parallels the Senate Banking Committee, overseeing all components of the nation's housing and financial services sectors, including banking, insurance, real estate, public and assisted housing, and securities. The Committee also reviews laws and programs related to HUD and government sponsored enterprises, including Fannie Mae and Freddie Mac. The HFSC Subcommittee on Housing and Insurance oversees HUD and the Government National Mortgage Association (Ginnie Mae) and handles matters related to housing affordability, rural housing, community development, and government sponsored enterprises.

Members of the House Financial Services Committee and members of the Subcommittee on Housing and Insurance (marked with an asterisk*) for the 118th Congress are as follows:

Majority Members:

- Patrick McHenry (R-NC), *Chair*
- Warren Davidson (R-OH),*
Subcommittee Chair
- Frank Lucas (R-OK)
- Pete Sessions (R-TX)
- Bill Posey (R-FL)*
- Blaine Luetkemeyer (R-MO)*
- Bill Huizenga (R-MI)
- Ann Wagner (R-MO)
- Andy Barr (R-KY)
- Roger Williams (R-TX)
- French Hill (R-AR)
- Tom Emmer (R-MN)
- Barry Loudermilk (R-GA)
- Alexander Mooney (R-WV)
- John Rose (R-TN)
- Bryan Steil (R-WI)
- William Timmons (R-SC)
- Ralph Norman (R-SC)*
- Dan Meuser (R-PA)
- Scott Fitzgerald (R-WI)*
- Andrew Garbarino (R-NY)*

Minority Members:

- Maxine Waters (D-CA), *Ranking Member*
- Emanuel Cleaver (D-MO),*
Subcommittee Ranking Member
- Nydia Velázquez (D-NY)*
- Brad Sherman (D-CA)
- Gregory Meeks (D-NY)
- David Scott (D-GA)
- Stephen Lynch (D-MA)
- Al Green (D-TX)
- Jim Himes (D-CT)
- Bill Foster (D-IL)
- Joyce Beatty (D-OH)
- Juan Vargas (D-CA)
- Josh Gottheimer (D-NJ)
- Vincente Gonzalez (D-TX)
- Sean Casten (D-IL)
- Ayanna Pressley (D-MA)
- Steven Horsford (D-NV)*
- Rashida Tlaib (D-MI)*
- Ritchie Torres (D-NY)*
- Sylvia Garcia (D-TX)*
- Nikema Williams (D-GA)*

- Young Kim (R-CA)
- Byron Donalds (R-FL)
- Mike Flood (R-NE)*
- Mike Lawler (R-NY)*
- Zach Nunn (R-IA)
- Monica De La Cruz (R-TX)*
- Erin Houchin (R-IN)*
- Andy Ogles (R-TN)
- Wiley Nickel (D-NC)
- Brittany Pettersen (D-CO)*

The [Senate Committee on Appropriations](#) is responsible for determining the amount of funding made available to federal programs in each fiscal year's budget. The Subcommittee on Transportation, Housing, and Urban Development (THUD) has jurisdiction over funding for the U.S. Department of Transportation and for HUD.

Members of the Senate Committee on Appropriations and members of the THUD Subcommittee (marked with an asterisk*) for the 118th Congress are as follows:

Majority Members:

- Patty Murray (D-WA),* *Chair*
- Brian Schatz (D-HI),* *Subcommittee Chair*
- Dianne Feinstein (D-CA)*
- Richard Durbin (D-IL)*
- Jack Reed (D-RI)*
- Jon Tester (D-MT)
- Jeanne Shaheen (D-NH)
- Jeff Merkley (D-OR)
- Chris Coons (D-DE)*
- Tammy Baldwin (D-WI)
- Chris Murphy (D-CT)*
- Joe Manchin (D-WV)*
- Chris Van Hollen (D-MD)*
- Martin Heinrich (D-NM)
- Gary Peters (D-MI)

Minority Members:

- Susan Collins (R-ME),* *Ranking Member*
- Cindy Hyde-Smith (R-MS),* *Subcommittee Ranking Member*
- Mitch McConnell (R-KY)
- Lisa Murkowski (R-AK)
- Lindsey Graham (R-SC)*
- Jerry Moran (R-KS)*
- John Hoeven (R-ND)*
- John Boozman (R-AR)*
- Shelley Moore Capito (R-WV)*
- John Kennedy (R-LA)*
- Bill Hagerty (R-TN)
- Katie Britt (R-AL)
- Marco Rubio (R-FL)
- Deb Fischer (R-NE)

As in the Senate, the [House Committee on Appropriations](#) is responsible for determining the amount of funding made available to federal programs each year. The THUD Subcommittee determines the amount of government revenues dedicated to HUD and other relevant agencies, including the U.S. Interagency Council on Homelessness (USICH).

Members of the House Committee on Appropriations and members of the THUD Subcommittee (marked with an asterisk*) for the 118th Congress are as follows:

Majority Members:

- Kay Granger (R-TX), *Chair*
- Tom Cole (R-OK),* *Subcommittee Chair*
- Harold Rogers (R-KY)
- Robert Aderholt (R-AL)
- Michael Simpson (R-ID)
- John Carter (R-TX)
- Ken Calvert (R-CA)
- Mario Diaz-Balart (R-FL)*
- Steve Womack (R-AR)*
- Chuck Fleishmann (R-TN)
- David Joyce (R-OH)
- Andy Harris (R-MD)
- Mark Amodei (R-NV)
- Chris Stewart (R-UT)
- Dan Newhouse (R-WA)
- John Moolenaar (R-MI)
- John Rutherford (R-FL)*
- Ben Cline (R-VA)*
- Guy Reschenthaler (R-PA)
- Mike Garcia (R-CA)
- Ashley Hinson (R-IA)
- Tony Gonzalez (R-TX)*
- David Valadao (R-CA)*
- Julia Letlow (R-LA)
- Michael Cloud (R-TX)
- Michael Guest (R-MS)
- Ryan Zinke (R-MT)*
- Andrew Clyde (R-GA)
- Jake LaTurner (R-KS)
- Jerry Carl (R-AL)
- Stephanie Bice (R-OK)
- Scott Franklin (R-FL)
- Jake Ellzey (R-TX)
- Juan Ciscomani (R-AZ)*

Minority Members:

- Rosa DeLauro (D-CT), *Ranking Member*
- Mike Quigley (D-IL),* *Subcommittee Ranking Member*
- Steny Hoyer (D-MD)
- Marcy Kaptur (D-OH)
- Sanford Bishop (D-GA)
- Barbara Lee (D-CA)
- Betty McCollum (D-MN)
- Dutch Ruppersberger (D-MD)
- Debbie Wasserman Schultz (D-FL)
- Henry Cuellar (D-TX)
- Chellie Pingree (D-ME)
- Derek Kilmer (D-WA)
- Matt Cartwright (D-PA)
- Grace Meng (D-NY)
- Mark Pocan (D-WI)
- Pete Aguilar (D-CA)*
- Lois Frankel (D-FL)
- Bonnie Watson Coleman (D-NJ)*
- Norma Torres (D-CA)*
- Ed Case (D-HI)
- Adriano Espaillat (D-NY)*
- Josh Harder (D-CA)
- Jennifer Wexton (D-VA)*
- David Trone (D-MD)
- Lauren Underwood (D-IL)
- Susie Lee (D-NV)
- Joseph Morelle (D-NY)

The [Senate Finance Committee](#) oversees matters related to taxation and other general revenue measures, including the Low-Income Housing Tax Credit (LIHTC). Members of the Senate Finance Committee for the 118th Congress are as follows:

Majority Members:

- Ron Wyden (D-OR), *Chair*
- Debbie Stabenow (D-MI)
- Maria Cantwell (D-WA)
- Robert Menendez (D-NJ)
- Thomas Carper (D-DE)
- Ben Cardin (D-MD)
- Sherrod Brown (D-OH)
- Michael Bennet (D-CO)
- Bob Casey (D-PA)
- Mark Warner (D-VA)
- Sheldon Whitehouse (D-RI)
- Maggie Hassan (D-NH)
- Catherine Cortez Masto (D-NV)
- Elizabeth Warren (D-MA)

Minority Members:

- Mike Crapo (R-ID), *Ranking Member*
- Chuck Grassley (R-IA)
- John Cornyn (R-TX)
- John Thune (R-SD)
- Tim Scott (R-SC)
- Bill Cassidy (R-LA)
- James Lankford (R-OK)
- Steve Daines (R-MT)
- Todd Young (R-IN)
- John Barrasso (R-WY)

The [House Committee on Ways and Means](#) is the chief tax writing committee in the House of Representatives and has jurisdiction over taxation, tariffs, and other programs including Social Security, Medicare, Temporary Assistance for Needy Families (TANF), and the Low-Income Housing Tax Credit (LIHTC).

Members of the House Committee on Ways and Means for the 118th Congress are as follows:

Majority:

- Jason Smith (R-MO), *Chair*
- Vern Buchanan (R-FL)
- Adrian Smith (R-NE)
- Mike Kelly (R-PA)
- David Schweikert (R-AZ)
- Darin LaHood (R-IL)
- Brad Wenstrup (R-OH)
- Jodey Arrington (R-TX)
- Drew Ferguson (R-GA)
- Ron Estes (R-KS)
- Lloyd Smucker (R-PA)
- Kevin Hern (R-OK)
- Carol Miller (R-WV)
- Greg Murphy (R-NC)
- David Kustoff (R-TN)
- Brian Fitzpatrick (R-PA)
- Greg Steube (R-FL)

Minority:

- Richard Neal (D-MA), *Ranking Member*
- Lloyd Doggett (D-TX)
- Mike Thompson (D-CA)
- John Larson (D-CT)
- Earl Blumenauer (D-OR)
- Bill Pascrell (D-NJ)
- Danny Davis (D-IL)
- Linda Sanchez (D-CA)
- Brian Higgins (D-NY)
- Terri Sewell (D-AL)
- Suzan DelBene (D-WA)
- Judy Chu (D-CA)
- Gwen Moore (D-WI)
- Dan Kildee (D-MI)
- Don Beyer (D-VA)
- Dwight Evans (D-PA)

- Claudia Tenney (R-NY)
- Michelle Fischbach (R-MN)
- Blake Moore (R-UT)
- Michelle Steel (R-CA)
- Beth Van Duyne (R-TX)
- Randy Feenstra (R-IA)
- Nicole Malliotakis (R-NY)
- Mike Carey (R-OH)
- Brad Schneider (D-IL)
- Jimmy Panetta (D-CA)

Fair Housing

President Biden Signs Executive Order to Advance Racial Equity and Support for Underserved Communities through the Federal Government

President Biden signed an Executive Order (EO) on February 16 aimed at strengthening the federal government’s ability to address barriers to equal opportunity faced by underserved communities. The EO, [Further Advancing Racial Equity and Support for Underserved Communities Through the Federal Government](#), builds on a [previous EO](#) signed by the President on his first day in office that directs federal agencies to conduct equity assessments and identify systemic barriers to access faced by underserved communities.

The new EO charges federal agencies – including HUD – with developing an annual public Equity Action Plan that assesses and provides recommendations to overcome systemic barriers impacting equitable access to federal programs. The Order also encourages federal agencies to develop and strengthen relationships with community partners and stakeholders and encourages targeting of federal resources to small, disadvantaged businesses and locally led development.

In a [fact sheet](#) on the EO, the White House notes that since HUD released its Equity Action Plan in April 2022 (see *Memo*, [4/18/22](#)), the department has started administering \$2.8 billion in competitive funding to homeless services organizations across the country for housing people experiencing homelessness and providing them with wrap-around services. HUD also released its updated Affirmatively Furthering Fair Housing (AFFH) rule to help ensure entities receiving HUD funding were actively working to overcome patterns of segregation and housing discrimination (see *Memo*, [2/13](#)).

While the Biden-Harris administration has made meaningful efforts towards advancing racial equity, it is also vital for the administration to lead by example and follow the best practices laid out in its [federal strategic plan](#) to prevent and end homelessness. Just a day before the new EO was released, the Biden-Harris administration, in collaboration with the Bowser administration in Washington, D.C., forcibly removed unhoused people from an encampment in McPherson Square park, just blocks from the White House.

Forced removals disconnect people experiencing homelessness from service providers and frequently lead to lost documentation and possessions, making it more difficult for individuals to exit homelessness. The destruction of the encampment defies the Biden-Harris administration’s

work towards racial equity and ending homelessness – Black people represent 45% of the general population in D.C. but 93% of people experiencing homelessness in the city. The National Coalition for Housing Justice, of which NLIHC is a member, issued a [statement](#) on the sweep, urging the Biden-Harris administration to stop all future efforts to forcibly remove unhoused people from national parks and instead to prioritize connecting individuals to housing paired with supportive services when needed.

Read *Further Advancing Racial Equity and Support for Underserved Communities Through the Federal Government* at: <https://bit.ly/3lMyrO8>

Read a fact sheet on the new Executive Order at: <https://bit.ly/3KhbInJ>

HUD

NLIHC Briefs Provide Summaries of AFFH Equity Plan and Community Engagement Requirements

NLIHC has prepared two briefs providing initial overviews of the proposed Affirmatively Furthering Fair Housing (AFFH) regulation provisions regarding the Equity Plan and the Community Engagement and Complaint processes. The two briefs – “[Preliminary Overview of the AFFH Equity Plan](#)” and “[Preliminary Overview of AFFH Community Engagement and Complaint Processes](#)” – include suggestions for improvements while expressing concerns about certain provisions. NLIHC will continue to produce additional briefs describing and analyzing other aspects of the proposed AFFH regulation.

The first brief, “[Preliminary Overview of the AFFH Equity Plan](#),” outlines the Equity Plan’s general provisions, summarizing the requirement to develop an Equity Plan by conducting an analysis identifying fair housing issues that must be prioritized in order to establish fair housing goals to overcome the prioritized fair housing issues. The proposed rule has seven categories of questions to guide local and state jurisdictions that must submit a Consolidated Plan, as well five categories of questions tailored for public housing agencies (PHAs). The Equity Plan section also explains how Equity Plans, Annual Progress Evaluations, and related communications between HUD and local and state governments and PHAs (collectively referred to as “program participants”) will be posted on a HUD-maintained webpage.

The second brief, “[Preliminary Overview of AFFH Community Engagement and Complaint Processes](#),” outlines those community engagement provisions that are much better than those of the 2015 AFFH rule. However, as NLIHC points out, additional community engagement is needed and key provisions should be clarified. NLIHC also outlines the new Complaint process available to the public – something NLIHC and other advocates have long-sought. The proposed rule more directly requires incorporation of the Equity Plan’s fair housing goals, strategies, and actions into local and state government Consolidated Plans (ConPlans) and Annual Action Plans, as well as into PHAs’ Five-Year and Annual PHA Plans. To accommodate the “incorporation” provisions of the AFFH rule, HUD proposes amending the ConPlan and PHA Plan regulations. NLIHC’s analysis includes discussion of the ConPlan and PHA Plan changes. NLIHC is

concerned that the proposed AFFH rule and ConPlan and PHA Plan amendments are not sufficiently clear and in several cases seem to fail to align.

HUD will accept comments until April 10. NLIHC will offer sample comment letters that advocates should consider using.

Read “Preliminary Overview of the AFFH Equity Plan” at: <https://bit.ly/3Eg9YHF>

Read “Preliminary Overview of AFFH Community Engagement and Complaint Processes” at: <https://bit.ly/3EgIHWy>

Read NLIHC’s “[Preliminary Highlights of Five Positive Overarching Features of the Proposed AFFH Rule](#),” first provided in *Memo*, [2/13](#)

Read NLIHC’s “[Key Provisions of the 2023 Proposed AFFH Rule: Based on the Executive Summary and Background Sections of the Preamble](#),” first provided in *Memo*, [1/23](#)

Find HUD’s preview version of the proposed AFFH rule at: <https://bit.ly/3wWsRLH>

Find the *Federal Register* version of the proposed AFFH rule at: <https://bit.ly/3RIYfa1>

HUD Awarded \$1.2 Million in Civil Money Penalty due to Housing Assistance Payment Contract Violation

HUD will receive approximately \$1.2 million in a civil money penalty after an administrative law judge (ALJ) for HUD’s Office of Hearing and Appeals ordered the penalty to be paid. Apex Waukegan LLC (Apex), a multifamily housing landlord, and its management agent, Integra Affordable Management LLC, were found to be in violation of their Housing Assistance Payment (HAP) contract. In 2019, Apex entered a HAP contract for a 150-unit project-based Section 8 property named Lakeside Tower Apartments in Waukegan, Illinois. The HAP contract detailed specific standards to which Apex was required to adhere, including maintaining decent, safe, sanitary housing units. However, a 2021 onsite review of Lakeside Tower Apartments revealed deplorable conditions, causing HUD to begin administrative action against Apex and Integra for violating the conditions of the HAP contract. After multiple inspections conducted by the City of Waukegan confirmed HUD’s findings, the ALJ also confirmed the agency’s findings and cited the two companies for 34 individual violations of contractually obligated duties.

Lakeside Tower residents frequently complained of issues that had not been addressed, such as water damage, mold, cracked paint, and additional issues that violated the HAP contract’s provision of maintaining decent, safe, and sanitary housing. For example, maintenance personnel would paint over cracks, mold, and stains rather than addressing the underlying water issues. The ALJ also found that Integra was jointly liable, based on an investigation conducted by the HUD Office of Program Enforcement and Office of the Inspector General. Both companies were effectively controlled by the same parties, thus diminishing Apex’s and Integra’s claims that they did not possess shared interests.

HUD General Counsel Damon Smith noted that “HUD takes the health and safety of tenants very seriously and will bring enforcement actions against landlords who fail to live up to their obligations.”

Read HUD’s press release [here](#).

Tenant Protections

Report Shows Connecticut’s Right-to-Counsel Program to Be Effective at Preventing Evictions

A new [report](#) finds that Connecticut’s Eviction Right to Counsel Program has been successful in diverting and minimizing eviction filings within the state since it began one year ago. Right to counsel – a legal guarantee that tenants facing the threat of eviction will have representation from an attorney in court – has not only enabled 71% of those Connecticut residents who utilized the program’s services to avoid an involuntary move but has also helped over 76% of tenants prevent eviction filings from being added to their records. The right-to-counsel program, which went into effect in January 2022, makes Connecticut one of only [three states and 15 cities](#) nationwide to have established right-to-counsel policies and programs.

Given the report’s key findings, the overall message is clear: tenants who needed help were able to access it. Prior to the launch of the program, only 7% of tenants facing eviction in Connecticut had representation from an attorney, while 80% of landlords did. The report found that with the right-to-counsel eviction diversion program in place, the number of tenants who were able to secure legal representation statewide increased more than 60% by December 2022, helping 2,148 people who would not otherwise have been able to access these services.

The report also showed positive impacts for tenants of color. Evictions, especially in Connecticut, have long impacted Black and Hispanic communities at rates disproportionately higher than those of their white counterparts. [CT Data Collaborative](#), an organization that tracks eviction data across the state, [found](#) that Black renters are two times as likely as white renters to face an eviction. In particular, Black women are 1.4 times more likely to be served an eviction notice across all renter groups. As a result, of those who accessed services from the program, 75% identified as non-white, making non-white renters the largest group of individuals served.

The report also found that the right-to-counsel program also likely saved the state millions of dollars it would otherwise have spent on providing healthcare services, housing services (such as emergency shelters), and education services for children. Overall, the realized economic benefits between January 31, 2022, and November 30, 2022, totaled between \$5.8 million and \$6.3 million.

“People organized around establishing a right to counsel because the eviction process is unfair and inaccessible to unrepresented tenants,” said Greg Kirschner, executive director and legal director of the Connecticut Fair Housing Center. “This report puts data behind what the right to counsel coalition knew – that evictions harm renters and communities and Connecticut is best

served by finding more just and humane alternatives to eviction business as usual. There is more to be done, including reigning in out of control rent increases and requiring good cause for landlords to end tenancies – so families are not forced to move for no reason.”

Indeed, a right to counsel for tenants can ensure that individuals facing the immediate threat of displacement because of an eviction filing are able to stay housed. Evictions have [lasting consequences](#) – especially in a state where eviction rates have [historically](#) been alarmingly high. In 2016, the Eviction Lab at Princeton University [ranked](#) four cities in Connecticut among the 100 urban centers in the country with the highest eviction rates. Even with a federal and state eviction moratorium in place, the state [reported](#) an average of more than 500 eviction filings per month during the pandemic – increasing to more than 1,000 filings in December 2021. Still, however, the annual number of eviction cases filed in the state was 53% lower in 2021 than the pre-pandemic average, which, in December 2019, was almost 1,500 eviction cases.

Before a permanent program was decided upon nearly two years ago, right-to-counsel policies and programs in the state had gone through a few iterations. In 2016, when the state was first considering right-to-counsel legislation, lawmakers put forth “[Senate Bill 426](#)” to create a legislative task force to research how the state could improve access to legal counsel for individuals facing civil proceedings. In 2019, per recommendation from the task force, lawmakers passed “[Senate Bill 652](#)” with overwhelming bipartisan support to guarantee a right to counsel to tenants with incomes of less than \$50,000 per year. The bill was later amended under “[Senate Bill 531](#)” to provide support to renters making less than \$75,000 a year. However, because of rising rental costs, coupled with the immediate effects of the COVID-19 pandemic, the most recent bill, “[House Bill 6531](#),” expanded eligibility to residents making less than 80% of the state’s area median income (AMI), which, [today](#), is around \$55,000 a year.

“[House Bill 6531](#),” which was formally passed in 2021, authorized the creation of a permanent right-to-counsel program to assist low-income renters in the state’s 14 cities with the highest concentrations of eviction filings. Together, these 14 cities – which include Hartford, New Haven, and Stamford – account for 25% of all eviction filings in the state. The program is currently funded with \$20 million in initial funding from the state’s federal State and Local Fiscal Recovery Funds, with another \$2.4 million in funds coming from both the U.S. Department of Housing and Urban Development and several foundations. Tenants eligible for assistance must not only meet the program’s income requirements, but they must also live in one of the ZIP codes serviced by the program. Veterans are also able to access the program’s services, regardless of where they live or what their income is.

The program is currently being run in partnership with the [Connecticut Bar Foundation](#), [Connecticut Legal Services](#), [Connecticut Veterans Legal Center](#), [Greater Hartford Legal Aid](#), and the [New Haven Legal Assistance Association, Inc.](#)

The program also has support from the [Connecticut Fair Housing Center](#), a statewide organization whose mission is to ensure that all people have equal access to housing opportunities in Connecticut, free from discrimination. During the 2021 legislative session, the Connecticut Fair Housing Center, along with 40 other community organizations [advocated](#) for the passage of House Bill 6531. The Connecticut Fair Housing Center is also a cohort member of

NLIHC's End Rental Arrears to Stop Evictions (ERASE) Project. To learn more about the ERASE Project, visit: <https://nlihc.org/erase-project>

To learn more about Connecticut's right-to-counsel program, visit: <https://www.evictionhelpct.org/>

State and Local Fiscal Recovery Funds

Communities Leverage State and Local Fiscal Recovery Funds to Recover from Pandemic and Invest in Housing Affordability

The U.S. Department of the Treasury (Treasury) issued a [fact sheet](#) on February 14 highlighting how county governments are using State and Local Fiscal Recovery Funds (SLFRF) to recover from the pandemic and invest in their communities. The SLFRF program provided more than \$65 billion in flexible funding to county governments. Counties are leveraging SLFRF to invest in housing, help impacted workers, support small businesses, respond to public health needs, and make key investments in infrastructure. Treasury announced that through September 2022, SLFRF recipients had [reported](#) budgeting \$14.2 billion for nearly 1,800 housing affordability projects, including efforts to provide short-term assistance and develop new, permanent affordable housing.

To support states and localities in leveraging these funds for affordable housing, NLIHC [urged Treasury](#) to issue clear guidance on how communities can use SLFRF to meet the housing needs of people with the lowest incomes. Treasury published a [final rule](#) on the SLFRF program that addressed many of NLIHC's concerns and recommendations in January 2022. The Biden administration has [encouraged](#) jurisdictions to use SLFRF to expand the housing supply and provide short-term assistance, including supplementing emergency rental assistance (ERA) programs. Treasury released updated [guidance](#) and an "[Affordable Housing How-To Guide](#)" in July 2022 to help state and local governments implement use of these funds for affordable housing (see *Memo*, [8/1/22](#)).

The fact sheet issued by Treasury provides examples of counties investing in affordable housing. Greenville County, South Carolina, allocated \$10 million to produce multi-family and single-family affordable housing units, preserve current affordable housing stock, and develop new infrastructure and multi-family units in a qualified census tract. Tarrant County, Texas, devoted nearly \$34 million to expanding permanent supportive housing. Finally, Treasury highlights a \$9 million allocation made by Washington State's Snohomish County for the identification, planning, and purchase of a multi-unit non-congregate shelter that will include services for individuals experiencing homelessness.

To learn more about how states and localities are investing SLFRF funds in housing, visit [NLIHC's SLFRF program webpage](#).

Read Treasury's SLFRF fact sheet at: <https://bit.ly/3k0bh6B>

Visit NLIHC's State and Local Fiscal Recovery Fund program webpage at:
<https://bit.ly/3aQgQj4>

HoUSed Campaign for Universal, Stable, Affordable Homes

Recap of 2/13 National HoUSed Campaign Call

In our most recent (February 13) national “HoUSed: Universal, Stable, Affordable Homes” campaign call, we discussed the outlook for the 118th Congress with U.S. House of Representatives Financial Services Committee Ranking Member Maxine Waters (D-CA) and Senate Committee on Banking, Housing, and Urban Affairs Chairman Sherrod Brown (D-OH). We learned about the importance of using collective advocacy to counter House Republicans’ threats to dramatically reduce funding in the fiscal year (FY) 2024 budget and about opportunities to advance bipartisan housing legislation. We also shared key advocacy tools developed by NLIHC to assist advocates in opposing budget and benefit cuts in Congress.

NLIHC President and CEO Diane Yentel kicked off the call with a warning about House Republicans’ commitment to enacting dramatic cuts to non-defense discretionary spending, which could significantly impact funding for HUD’s vital affordable housing and homelessness programs. Severe budget cuts in 2011, put in place by the “Budget Control Act” enacted that year, created arbitrary spending caps that limited funding for housing programs for a decade. Though the caps recently expired, they kept Congress from funding HUD programs at the scale necessary, setting back the country’s ability to address the urgent affordable housing needs of the nation’s lowest-income people. Democrats in the House and Senate have voiced their commitment to preventing a repeat of such spending cuts, but a bipartisan effort is needed to prevent cuts, keep families in their homes, and expand the availability of assistance to communities and individuals struggling to make ends meet.

Senator Sherrod Brown, Chairman of the Senate Banking Committee, opened with an impassioned message highlighting the Committee’s obligation to hold banks accountable and its renewed focus on housing. Under Chairman Brown’s leadership, the Committee will focus on the issues that have the greatest impact on people’s lives. He concluded that Congress needs to invest in communities and help people of color obtain opportunities to build equity and create generational wealth.

House Financial Services Committee Ranking Member Maxine Waters detailed the growing concerns surrounding the affordable housing crisis and highlighted the work she has done to champion affordable housing and the needs of people experiencing homelessness. The Congresswoman noted her “[Ending Homelessness Act](#),” proposed in the previous Congress, would authorize \$5.5 billion in funding to support families paying more than 30% of their annual income on rent, expand the housing voucher program, distribute emergency rental assistance, and prevent housing discrimination. Congresswoman Waters also expressed her commitment to continuing to fight against cuts to HUD’s programs and to push for increased resources for deeply affordable housing.

Sarah Saadian, NLIHC's senior vice president for policy and field organizing, outlined some of the actions NLIHC has taken to advance affordable housing policy, including sending a memorandum, [Advancing Housing Justice in the 118th Congress](#), to every Congressional office. The memo summarizes NLIHC's research and policy priorities, highlighting the causes of and solutions to America's affordable housing crisis. Sarah also stressed the importance of collective action in defeating threats to federal affordable housing and homelessness resources, building political will to enact large-scale, long-term solutions, and advancing NLIHC's top appropriations priorities in FY24, which include:

- Funding to renew all existing housing voucher contracts and to expand assistance to 200,000 additional families.
- Full funding for public housing operating and administrative needs.
- Full funding for HUD's Homeless Assistance Grants program.
- Providing \$3 billion in Emergency Rental Assistance.
- Investing \$100 million in legal services for eviction prevention.
- Expanding funding for tribal nations with the greatest needs.

NLIHC Public Policy Manager Kim Johnson stressed the necessity of bipartisan cooperation in order to advance legislation in the divided Congress. At present, two bipartisan bills championed by NLIHC's [Opportunity Starts at Home campaign](#) are slated for reintroduction in the coming year: the "Eviction Crisis Act" and the "Family Stability and Opportunity Vouchers Act" (FSOVA). The "Eviction Crisis Act" would create a permanent federal emergency rental assistance program, building on lessons learned during and infrastructure developed in response to the pandemic. The FSOVA would provide funding for 500,000 new Housing Choice Vouchers with mobility services, specifically targeted to families with young children.

To round out the call, Brooke Schipporeit, NLIHC's field manager, reviewed NLIHC's newest advocacy toolkit, [Oppose Dramatic Cuts to Federal Investments in Affordable Housing](#). The toolkit includes an overview of the 2011 Budget Control Act, sample social media messages, talking points, and draft opinion pieces that can be submitted to your local media outlet, as well as links to additional action and organizing tools. NLIHC will be hosting our biggest advocacy day, Capitol Hill Day, during the NLIHC Policy Forum on March 23. In the meantime, and afterward, we encourage organizers to visit our [Legislative Action Center](#) and weigh in with their members of Congress on the importance of increased funding for affordable housing and homelessness programs.

National calls will take place every other week. Our next call will be held on February 27 at 2:30 pm ET. Register for the call at: <https://bit.ly/3ub2sWM>

Disaster Housing Recovery

HUD Announces Agreement with State of Louisiana to Resolve Repayment Obligations for 3,300 Homeowners Impacted by Hurricane Katrina

HUD [announced](#) on February 16 that the agency had reached an agreement with the State of Louisiana to cease repayment actions for over 3,300 disaster-impacted homeowners enrolled in the post-Katrina Road Home Program. Under the agreement, these homeowners will have their outstanding debt wiped clean and will be able to live free of Road Home-related debt.

In the immediate aftermath of Hurricanes Katrina and Rita, Louisiana's HUD-funded Road Home Program provided funds for house repair and mitigation efforts. The program provided funds to elevate more than 13,000 homes, provide additional mitigation measures for more than 39,000 homeowners, and provide new housing for more than 8,500 families. For some Katrina and Rita survivors, the funds provided via the program were not sufficient to fully complete construction or relocation work. Not having enough money to fully complete elevation or mitigation projects, many of the families used program funds for basic repair work on their storm damaged homes. In 2010, the HUD Inspector General found that the use of additional funding sources violated HUD policy. In response, the state began efforts to recover those funds from the households in question. As of this year, 700 homeowners had court judgments against them, 231 were subjected to repayment plans, and 2,365 homeowners were in active litigation about their debts. These households owed an average of \$46,000 each. Under the new agreement, all debts related to this issue will be cleared.

“For more than 17 years, many Louisianans have not had the freedom to fully move on from the pain and trauma of Hurricanes Katrina and Rita – that changes today,” said HUD Secretary Marcia L. Fudge in a press release announcing the change. “I have made it a priority to clear the cloud of debt that has impacted too many families and individuals. This action is about providing peace of mind and freedom. Louisianans have shown their resiliency and strength time and time again over the past years, and now they will feel the relief from this burden.”

Read the press release announcing the agreement at: <https://bit.ly/3IJ9HXd>

Opportunity Starts at Home

New Research Suggests People Experiencing Homelessness Face Greater Risk of Death

A new report published by the Minnesota Department of Health in partnership with the Hennepin Healthcare Research Institute (HHRI) finds that people who experience homelessness experience a death rate three times greater than the rate in the general population. The report assessed data associated with more than 90,000 people experiencing homelessness in Minnesota who had accessed housing services such as shelters and transitional housing. Researchers found that the overall death rate among people experiencing homelessness was three times as high as the rate in the general population, regardless of age, gender, or race. Find an article about the report [here](#).

“This report shines a light on the tragic health impacts suffered by people experiencing homelessness in our state,” said Minnesota Commissioner of Health Dr. Brooke Cunningham. “The findings give us baselines for measuring progress toward reducing health disparities and

improving the social, economic, racial, and other conditions that give rise to these inequitable outcomes.”

Read an article about the report [here](#).

Research

Report Shows Universal Access to Counsel Reduced Non-Answer Rates and Subsequent Default Judgments in New York Eviction Cases

A new report from the NYU Furman Center, “[Half the Battle is Just Showing Up: Non-Answers and Default Judgments in Non-Payment Eviction Cases across New York State](#),” documents the frequency of tenant non-answer and default judgments entered in non-payment eviction cases in New York from 2016 to 2022. Tenants did not answer in more than half of all eviction cases originating from non-payment of rent. Eviction cases with non-answers are more likely to result in default judgments than cases with answers and are more likely to lead to evictions. The authors of the report find early evidence that the Universal Access to Counsel program in New York City may reduce the frequency of non-answers, as well as the likelihood that a non-answer leads to a default judgment.

The report focuses on understanding the frequency of tenant non-answers and default judgments in non-payment eviction filings because many eviction diversion efforts rely on in-court services that tenants may not have access to if they do not answer and appear. The analysis uses non-payment eviction filing data from 2016 through the first half of 2022 filed in the New York State Office of Court Administration. The authors also examine patterns in answer and default judgment rates over time and by jurisdiction (inside New York City or outside). Finally, the authors assess whether answer rates are associated with any jurisdictional demographic characteristics. Filings from all city courts in New York State as well as county courts in Nassau and Suffolk counties – where 83% of renter households in New York State live – were captured.

On average, 54% of non-payment cases between 2016 and 2022 went unanswered by tenants in New York, with 20% of these cases resulting in a default judgment. In the remaining 46% of cases where an answer was initially entered by the tenant, 11% resulted in a default judgment because the tenant did not appear in court. In the pre-pandemic years (2016-2019), 50% of cases were not answered in New York City and 60% in the other jurisdictions in the state. However, during the pandemic, this dynamic was reversed. During the pandemic, New York City non-answer rates rose, reaching almost 65% in 2021 before falling to around 57% in 2022. In jurisdictions outside of New York City, the non-answer rate fell and remains lower than the pre-pandemic average. A closer examination of answer rates in jurisdictions outside of New York City reveals wide variation: 20 of the 64 jurisdictions had very high non-answer rates (over 80%), while 35 of the jurisdictions had very low non-answer rates (below 10%). The divergence in answer rates may be attributed to the local policies and practices adopted by localities in response to the pandemic. The economic and demographic characteristics of the jurisdictions did not have a clear impact on these answer rates.

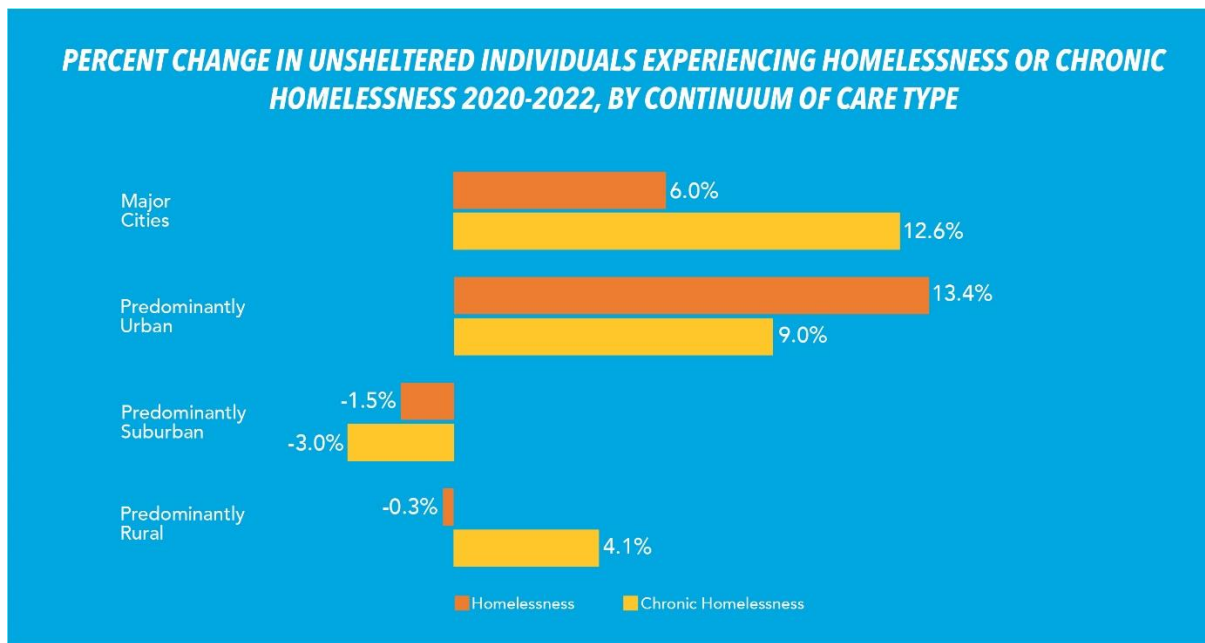
The authors find evidence suggesting that expansion of legal counsel in New York City has led to a decrease in non-answers and default judgments in cases of non-answers. Universal Access to Counsel, which guarantees legal representation for all tenants with low incomes in New York City, began in 2017 and was introduced in stages to different ZIP codes until 2020, when the program became available in all ZIP codes of the city. During the roll out period, cases in ZIP codes that had Universal Access to Counsel were more likely to have an answer as compared to cases in ZIP codes without the program. Similarly, of the cases that were unanswered, default judgments were less likely in ZIP codes that implemented Universal Access to Counsel. The authors posit that this could be due to the fact that landlords were more willing to engage in negotiations with tenants and settle informally outside of court when they anticipated that tenants would have legal representation. The authors note that Universal Access to Counsel is not related to the probability of a default judgment for cases where the tenant has entered an answer but has a default judgment entered against them for failure to appear.

The authors call for policy interventions that connect tenants to resources such as rental assistance and legal assistance to divert them from the eviction process. In cases where evictions do proceed in court, the authors highlight that more investigation is needed to identify what strategies are effective in increasing tenant answers and attendance.

Read the new report at: <https://bit.ly/3I3zOzr>

Fact of the Week

Major Cities and Predominantly Urban CoCs Faced Largest Increases in Unsheltered Homelessness and Chronic Homelessness between 2020 and 2022



SOURCE: U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, "THE 2022 ANNUAL HOMELESSNESS ASSESSMENT REPORT PART 1: POINT-IN-TIME ESTIMATES OF HOMELESSNESS," DECEMBER 2022, BIT.LY/3WNSERQ



Source: U.S. Department of Housing and Urban Development, "The 2022 Annual Homelessness Assessment Report Part 1: Point-In-Time Estimates of Homelessness," December 2022, bit.ly/3WNSERq

From the Field

Federal Court Upholds New York's Rent Stabilization Law; Plaintiffs Plan Appeal to Supreme Court

The Second U.S. Circuit Court of Appeals on February 6 [affirmed](#) New York's decades-old rent stabilization law, striking down lawsuits against New York City and the state filed by landlord trade groups and property owners. The plaintiffs had argued that the law violated the Fifth Amendment's "takings clause," which governs property seizures, as well as the Fourth Amendment's due process clause. Tenant advocates, including NLIHC, filed an [amicus brief](#) defending the law as necessary to provide basic tenant protections and to ensure state and local legislative bodies retain their authority to regulate the housing market. The plaintiffs now plan to [appeal](#) the case to the U.S. Supreme Court. If accepted by the Supreme Court, the case could not only impact New York's law but result in a broader judgement concerning rent control and its impacts.

New York first enacted rent stabilization in 1969 and has amended and expanded its law over the years, most recently with the "Housing Stability and Tenant Protection Act of 2019" (see [Memo](#) 7/01/19). The 2019 amendment increased tenant protections and removed incentives for property

owners to push out tenants in order to raise rents, which landlords say has caused [tens of thousands](#) of rent-stabilized units to sit empty. A total of five cases related to the 2019 reforms have gone through the federal courts, with three still awaiting federal appeals court decisions. The Second Circuit Court of Appeals ruling cited prior court decisions, including U.S. Supreme Court [precedent](#), to strike down the arguments in the lawsuits.

In the [amicus brief](#), NLIHC and other partners argued that housing policies must protect renters and bring balance to the landlord-tenant relationship. They also argued that rent stabilization laws are a critical part of a broad framework to protect tenants from exploitive rental schemes and address public health, safety, and welfare crises. They noted that the rent stabilization law in question addresses systemic racism in the housing market, provides protections against climate disasters, keeps rent affordable to low-wage workers, helps regulate institutional investors, and kept renters stable during the COVID-19 pandemic. Nearly one year after the case was argued, tenant advocates were pleased to see the law upheld.

“As we have advised policy makers time and again, New York’s Rent Stabilization statute provides vital protection for tenants, and without it, many would lose their homes through eviction and an inability to afford excessive rent increases,” said Shelly Nortz, deputy executive director for policy at [Coalition for the Homeless](#), an NLIHC state partner.

Advocates will watch to see whether the Supreme Court, which has declined to take up other cases concerning rent stabilization in the past, will add the case to its docket. If not, the appeals court ruling will stand as the final judgement on the issue.

Events

Join NLIHC’s Next Policy Advisory Committee Meeting on March 1

NLIHC members are invited to [join us](#) on March 1 from 4 to 5 pm ET for NLIHC’s quarterly Policy Advisory Committee (PAC) meeting, a virtual listening session during which NLIHC members can weigh in on issues related to NLIHC’s policy priorities.

The PAC offers a space for NLIHC members to provide input about the formation, direction, and implementation of NLIHC’s policy priorities. The voices and perspectives offered during PAC meetings are taken into consideration as we formulate and work towards achieving our policy priorities in the upcoming Congressional session.

During our last (December 6, 2022) PAC meeting, we discussed the policies and proposals that should be included in a federal Tenants’ Bill of Rights to keep tenants safely and affordably housed and to ensure long-term housing stability for renters with the lowest incomes. During our March 1 meeting, we will share an update on how the Tenants’ Bill of Rights is shaping up and a prospective timeline for Congressional action. We will also discuss the fights ahead for staving off cuts in the fiscal year (FY) 2024 budget and will look forward to hearing participants’ ideas about successful messaging and advocacy with Congress.

PAC meetings are held quarterly. In 2023, the meetings will be held on the following dates:

- Wednesday, June 7, 4-5 pm ET
- Wednesday, September 6, 4-5 pm ET
- Wednesday, December 6, 4-5 pm ET

*Please note that **PAC meetings are only open to NLIHC members**. If you are not already a member, you can [join online](#).*

Register for the Policy Advisory Committee meetings at: tinyurl.com/mvb9t2hu

Housing Policy Forum

NLIHC's 2023 Housing Policy Forum to Feature Breakout Sessions, Tenant Leader Meetings, Two Keynote Speakers, and More!

[NLIHC's Housing Policy Forum 2023: Onward to Housing Justice](#), taking place on March 21-23 at the Hilton Washington DC Capitol Hill Hotel in Washington, D.C., will feature an array of opportunities to engage with and learn from thought-leaders, tenant and community leaders, policy experts, researchers, affordable housing practitioners, and leaders from Capitol Hill and the Biden-Harris administration about the state of the affordable housing crisis in America and its solutions. [Learn more about this year's Forum by exploring the newly published agenda](#), and then [register to attend the 2023 Housing Policy Forum!](#)

The 2023 Forum will host discussions with Congresswoman and Chair of the Congressional Progressive Caucus Pramila Jayapal (D-WA), U.S. Department of the Treasury Deputy Secretary Wally Adeyemo, and Federal Housing Finance Agency Director Sandra Thompson about the path forward for ensuring tenant protections and affordable housing for those most in need in America. The Forum will also feature two keynote addresses: one by acclaimed sociologist and author Matthew Desmond, and the other by renowned scholar and social activist Rev. Dr. William J. Barber II.



Congresswoman Jayapal (D-WA)



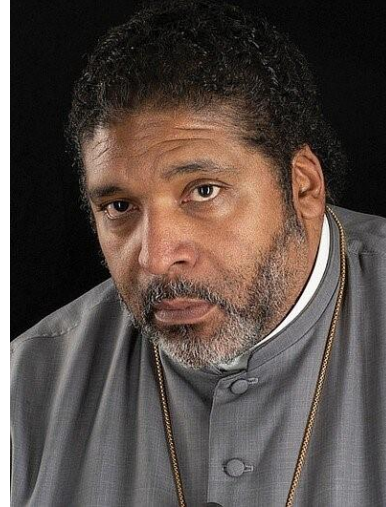
Treasury Dep. Sec. Adeyemo



Sociologist and Author Matthew Desmond



FHFA Director Sandra Thompson



Rev. Dr. William J. Barber II

In addition to keynote addresses by Rev. Dr. William J. Barber II and Matthew Desmond, the Forum will celebrate the launch of Professor Desmond’s new book, *Poverty, by America*. The Forum will also feature remarks by NLIHC Board of Directors Chair Dora Leong Gallo and NLIHC President and CEO Diane Yentel.

This year’s Forum will also offer plenary sessions on state and local organizing and NLIHC’s IDEAS (Inclusion, Diversity, Equity, Anti-Racism, and Systems Thinking) work, as well as breakout sessions like “Countering the Criminalization of Homelessness”; “Achieving Permanent Renter Protections”; “Housing and Climate Change: Equitable Disaster Housing Recovery”; “Effective Messaging and Communications Strategies to Advance Housing Justice”; “Racial Equity in Practice”; “Achieving Affordable Housing Solutions in Native and Rural Areas”; “The Status of Evictions and Eviction Prevention Work”; and a “Capitol Hill Insiders Panel.”

The 2023 Forum will include two tenant leader sessions, with a special presentation by legendary freedom singer and civil rights activist Rutha Mae Harris. Designed to provide learning and networking opportunities for low-income tenants prior to the start of the larger Housing Policy Forum, the tenant sessions will include tenant and community leaders engaging in thoughtful discussions about tenant rights and protections and tenant advocacy focusing on federal housing policy to achieve housing justice for all. **This year’s tenant sessions will be held on Monday, March 20, at 2 pm ET and Tuesday, March 21, at 8:30 am ET.** For more information on the tenant sessions, please contact Renee Willis at rwillis@nlihc.org.



Freedom Singer and Civil Rights Activist Rutha Mae Harris

[Learn more about this year's Forum by exploring the agenda](#), and then [register to attend the 2023 Housing Policy Forum!](#)

NLIHC Encourages Advocates to Participate in Capitol Hill Day!

NLIHC invites advocates to participate in our hybrid Capitol Hill Day on Thursday, March 23. Participants will have the opportunity to meet with their members of Congress to urge them to oppose funding cuts to affordable housing and homelessness programs, expand resources for these vital programs, advance anti-racist policies, and support legislation that would improve the lives of millions of low-income people. Advocates should also consider registering to attend a February 28 webinar that will help prepare for Capitol Hill Day advocacy [here](#). Capitol Hill Day is part of NLIHC's *Housing Policy Forum 2023: Onward to Housing Justice*, which will take place on March 21-23 at the Hilton Capitol Hill Hotel in Washington, D.C. Register for the Forum at: bit.ly/3Yfba5R

In preparation for Capitol Hill Day, NLIHC will be hosting a webinar on February 28 from 4 to 5 pm ET that will cover our [policy priorities](#) and provide an overview of what to expect when meeting with members of Congress during Hill Day meetings. Staff from Housing Narrative Lab will also join this year's webinar to share how advocates can incorporate their own stories and experiences into their advocacy to create powerful narratives that make the case for federal resources for affordable housing and homelessness programs. Register for the webinar [here](#).

If you would like to set up appointments for Capitol Hill Day, please contact your state's NLIHC housing advocacy organizer, whose contact information can be found [here](#). Meetings focused on your state and district are in the process of being arranged and scheduled. NLIHC will also offer additional resources for participants in anticipation for Capitol Hill Day.

Register for the preparatory Capitol Hill Day webinar [here](#).

Register for Housing Policy Forum 2023 [here](#).

Leadership Awards Ceremony

Representative Cori Bush, Ayuda Legal Puerto Rico, and John Parvensky to Be Honored at 2023 Leadership Awards Ceremony!

Every year, NLIHC honors individual leaders and organizations for their outstanding contributions to affordable housing at our Housing Leadership Awards Ceremony. This year, we are excited to present leadership awards to **Representative Cori Bush (D-MO), John Parvensky, and Ayuda Legal Puerto Rico**. These exceptional leaders will be recognized at NLIHC's 41st Annual Housing Leadership Awards Celebration on Wednesday, March 22, from 6:30 to 8 pm at the Hilton Washington DC Capitol Hill Hotel in Washington, D.C. Recognize these outstanding leaders by making a donation to NLIHC in their honor! Donate to NLIHC in these leaders' honor as an [individual](#) or as an [organization](#). To learn more about the awards and for event updates, please visit: <http://bit.ly/3TR14oN>

Representative Cori Bush (D-MO) will receive the 2023 Edward W. Brooke Housing Leadership Award for leading a movement to guarantee housing for all. In her first term in Congress, she introduced legislation to end homelessness by 2025, led a demonstration on the steps of the U.S. Capitol that successfully called on the Centers for Disease Control and Prevention to extend the eviction moratorium, and introduced legislation to permanently implement an eviction moratorium throughout the pandemic. The Brooke award is named for Senator Edward Brooke (R-MA), who as a U.S. senator and later as chair of the NLIHC board of directors championed low-income housing.

John Parvensky will receive the 2023 Dolbeare Lifetime Service Award for his longstanding leadership in the fight for housing and health care justice and equity as an advocate, a supportive housing developer, and a provider of health care for the homeless. As CEO of the Colorado Coalition for the Homeless for the past 37 years, he led the development of more than 2,000 supportive housing units. The Dolbeare Lifetime Service Award is named for NLIHC's founder, Cushing Niles Dolbeare, a pioneer of the affordable housing movement.

Ayuda Legal Puerto Rico will receive the 2023 Sheila Crowley Housing Justice Award for its persistent efforts to ensure a just recovery – including access to safe and affordable housing – in the aftermath of numerous disasters. Ayuda Legal Puerto Rico is a non-profit organization that provides free legal education to groups and communities in the defense of fundamental rights – especially the right to housing. This award is named for former NLIHC President and CEO Sheila Crowley, who led NLIHC for more than 17 years.

You can recognize these outstanding leaders by making a donation to NLIHC in their honor either as an [individual](#) or as an [organization](#). Your donation will be recognized in the Leadership Awards Celebration program, and your contribution will support NLIHC's mission to achieve racially and socially equitable public policy that ensures people with the lowest incomes have quality homes that are accessible and affordable in communities of their choice. Information

about how to register to attend the Housing Leadership Awards Celebration is forthcoming.

To learn more about the awards and for event updates, please visit: <http://bit.ly/3TR14oN>

NLIHC in the News

NLIHC in the News for the Week of February 12

The following are some of the news stories to which NLIHC contributed during the week of February 12:

- “Biden Administration Defies Own Playbook on Homelessness,” *City Lab*, February 16 at: <https://tinyurl.com/5fyphftb>
 - “Park Service clears homeless encampment near White House” *AP*, February 16 at: <https://tinyurl.com/4nf6u35u>
 - “Low-income renters could get help paying security deposits under new bill in Congress” *San Francisco Chronicle*, February 17 at: <https://tinyurl.com/2p9dzwx7>
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NLIHC News

Where to Find Us – February 21

- National Alliance to End Homelessness, “[Innovations and Solutions for Ending Unsheltered Homelessness](#)” – March 1-3, Oakland, CA (Diane Yentel)
 - National Housing Conference, “[Solutions for Housing Communications](#)” – March 15, Washington, D.C. (Sarah Saadian)
 - New Jersey Housing Collaborative Workgroup – Virtual, March 29 (Lindsay Duvall)
 - South Dakota Housing for the Homeless Consortium, Annual Homeless Summit – Pierre, South Dakota, June 13-14 (Diane Yentel and Courtney Cooperman)
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Diane Yentel, President and CEO, x225
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