

**Volume 26, Issue 08  
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# Coronavirus, Disasters, Housing, and Homelessness – Highlights

## Federal Eviction Moratorium Remains in Effect, Despite Court Ruling

The federal eviction moratorium issued by the Centers for Disease Control and Prevention (CDC) remains in effect, despite the Federal District Court of Eastern Texas ruling in [Terkel v. CDC](https://www.law360.com/articles/1359176/attachments/0)on February 25 that the vital measure violates the Commerce Clause of the U.S. Constitution. Brian M. Boynton, acting assistant attorney general for the Justice Department's Civil Division, [announced](https://www.justice.gov/opa/pr/department-justice-issues-statement-announcing-decision-appeal-terkel-v-cdc) on February 27 that the federal government appealed the harmful decision.

Renters are still protected by the federal eviction moratorium. The district court ruling only applies to the particular landlords and renters in the legal case, and it has no direct impact other renters. Because the case was not brought as a class action, the district court decision is not binding on any other landlords, tenants, or courts.

Moreover, the court’s decision in Terkel v. CDC is deeply flawed. In the court’s analysis of the Commerce Clause, it ignores Supreme Court precedent in [Russell v. United States](https://supreme.justia.com/cases/federal/us/471/858/), which found that the regulation of the rental real estate market “unquestionably” falls within the scope of the federal government’s authority. The court also failed to consider the emergency public health powers under which the CDC issued the eviction moratorium.

The Texas case is out of step with how other courts have addressed the eviction moratorium. Of the four federal district courts that have issued decisions relating to the federal eviction moratorium, three have rejected claims by landlord’s that the moratorium was unlawful or unconstitutional. In [Brown v. Azar](https://casetext.com/case/brown-v-azar) (Northern District of Georgia), the judge denied an injunction brought by landlords, arguing that the CDC’s authority in this case is clear and unambiguous. The judge in [Chambliss Enterprises LLC v. Redfield](https://www.courtlistener.com/recap/gov.uscourts.lawd.176977/gov.uscourts.lawd.176977.35.0.pdf) (Western District of Louisiana) stated the CDC’s eviction moratorium “is well supported and falls firmly within the scope of its authority.” In [KBW Investment Properties v. Azar](https://www.courtlistener.com/recap/gov.uscourts.ohsd.245790/gov.uscourts.ohsd.245790.24.0_1.pdf) (Southern District of Ohio), the judge denied a request for a temporary restraining order, allowing the moratorium to continue to be in effect. All three federal district court judges were appointed by Republican presidents.

While these court cases continue, the federal eviction moratorium remains in effective until March 31. In addition to defending the moratorium in court, the Biden administration must [extend, strengthen, and enforce](https://nlihc.secure.force.com/actions/CapturePetitionNew?actionId=AR00933) the moratorium to ensure renters can remain stably housed during the pandemic.

Read the court ruling in Terkel v. CDC at: <https://tinyurl.com/vducab4z>

Read the announcement by the Department of Justice at: <https://tinyurl.com/p3p89v8e>

To sign onto a national letter calling on the Biden administration to extend, strengthen and enforce the moratorium at: <https://tinyurl.com/j9cwsx8n>

Learn more about these latest developments related to the eviction moratorium on today’s (March 1) national call on Coronavirus, Disasters, Housing, and Homelessness at 2:30-4 pm ET. Register at: [https://tinyurl.com/ru73qan](https://nlihc.us4.list-manage.com/track/click?u=e702259618becdc3f0451bd5d&id=caa293d514&e=e814653c2a)

## House Passes Coronavirus Relief Package with Over $40 Billion for Housing and Homelessness

The House of Representatives passed by a vote of 219 to 212 the “American Rescue Plan Act,” a $1.9 trillion coronavirus relief package containing [$40 billion in essential housing and homelessness assistance](https://nlihc.org/sites/default/files/COVID-Relief-Budget_Reconciliation.pdf?utm_source=NLIHC+All+Subscribers&utm_campaign=c62cbba4d8-cta_022420&utm_medium=email&utm_term=0_e090383b5e-c62cbba4d8-292697541&ct=t(cta_022420)), including $26 billion for rental assistance and $5 billion to assist people who are homeless. 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 find and remain safely housed throughout the duration of the pandemic and beyond.

Before the floor vote, the House Rules Committee passed a [manager’s amendment](https://amendments-rules.house.gov/amendments/ARPA%20Managers%20Amendment%202-23%2011_Yarmuth210223192835791.pdf?utm_source=NLIHC+All+Subscribers&utm_campaign=c62cbba4d8-cta_022420&utm_medium=email&utm_term=0_e090383b5e-c62cbba4d8-292697541&ct=t(cta_022420)) that included several improvements to the bill, including increasing funding for emergency rental assistance (ERA) by $1.2 billion and directing these additional funds to high-need communities based on the number of very low-income renter households paying more than 50% of income on rent or living in substandard or overcrowded conditions, rental market costs, and employment trends. NLIHC and others advocates urged Congress to better target emergency rental assistance to communities with the greatest needs. The amendment also moves up the date to reallocate unspent funds from September 30, 2022 to March 31, 2022; reduces the initial tranche of funding to grantees from 50% to 40% of their total allocation; and provides $20 million to support fair housing activities during the pandemic.

Although the Senate parliamentarian ruled on the evening of February 25 that the provision to increase the federal minimum wage to $15 per hour violates the parameters of the reconciliation process, congressional leaders in the House kept the provision in the bill. As the bill moves to the Senate, Democratic leaders will determine whether to remove the provision from the Senate bill or keep the provision and likely have it subjected to a “Point of Order” during debate and removed.

Senate leaders are expected to skip committee votes and bring the bill to the Senate floor for up to 20 hours of debate, followed by a “vote-a-rama,” during which senators will have the opportunity to offer an unlimited number of amendments to the bill before a floor vote. The House and Senate are aiming to have the bill finalized and sent to President Biden before March 14, when the pandemic-extended unemployment benefits are slated to expire.

Read NLIHC’s analysis of the housing provisions included in the “American Rescue Plan Act” at: <https://tinyurl.com/dakk3mk>

Urge your senators to pass the “American Rescue Plan Act” through our Legislative Action Center: <https://nlihc.org/take-action>

## NLIHC and NHLP Urge HUD, USDA, and Treasury to Notify Tenants of CDC Eviction Moratorium

NLIHC and the National Housing Law Project (NHLP) sent letters on February 23 to [HUD](https://nlihc.org/sites/default/files/NLIHC_NHLP_HUD-CDC-Moratorium_022321.pdf), the [Treasury Department](https://nlihc.org/sites/default/files/NLIHC_NHLP_Treasury-CDC-Moratorium_022321.pdf), and the [U.S. Department of Agriculture](https://nlihc.org/sites/default/files/NLIHC_NHLP_USDA-CDC-Moratorium_022321.pdf) (USDA) urging the agencies to take immediate action to ensure renters living in federally supported properties know their rights under the federal eviction moratorium issued by the Centers for Disease Control and Prevention (CDC). NLIHC and NHLP sent a similar [letter](https://nlihc.org/resource/nlihc-urges-federal-agencies-notify-tenants-eviction-moratorium) last September calling on the agencies to notify tenants of the eviction moratorium.

While the federal eviction moratorium extends vital protections to renters at risk of eviction during the pandemic, many qualified renters are unaware of the steps they must take to be protected. Under the CDC moratorium, renters are only protected if they know about the moratorium and take steps to be protected. As a result, [corporate and other landlords continue to evict renters](https://pestakeholder.org/eviction-filings-by-private-equity-firms-and-other-large-landlords-surge-despite-cdc-eviction-moratorium/) before renters know about the moratorium’s protections and can make use of its protections.

NLIHC, NHLP, and over 2,000 organizations and elected officials are [urging](https://nlihc.org/sites/default/files/Recommended-Eviction-Moratorium-Letter_March2021.pdf) the Biden administration to address the moratorium’s significant shortcomings that prevent renters from making full use of the order’s protections. Among other improvements, we are calling on the administration to issue an automatic and universal moratorium that covers all tenants without requiring them to “apply” for the protection.

Until these reforms are implemented, HUD, USDA, and Treasury must, at a minimum, require federally supported rental property owners and housing authorities to provide tenants written notice of their rights and steps they must take to be protected. Specifically, NLIHC and NHLP urge that federal agencies:

1. Require housing providers to send a flyer with a description of the CDC order and its protections to tenants and include a copy of the CDC declaration
2. Require flyers be in the language most appropriate for a household or at least provide an insert in languages representing those used by the households served by the provider household indicating that versions of the description of the CDC order and a copy of the CDC declaration in other languages will be provided upon request
3. Require providers to make reasonable accommodations to inform residents who have sight or hearing disabilities
4. Require housing providers to also provide the flyer to a tenant at the same time the housing provider serves a notice of nonpayment of rent.

Read the letter to HUD at: <https://bit.ly/2ZPNRmt>

Read the letter to Treasury at: <https://bit.ly/3dDiROL>

Read the letter to USDA at: <https://bit.ly/2ZKad9i>

# Coronavirus and Emergency Rental Assistance

## Treasury Publishes Revised Emergency Rental Assistance FAQ with Significant Improvements

The U.S. Department of the Treasury released on February 22 a new [Frequently Asked Questions](https://home.treasury.gov/system/files/136/ERA-Frequently-Asked-Questions_Pub-2-22-21.pdf) (FAQ) document to help states and communities quickly distribute more than $25 billion in [emergency rental assistance](https://home.treasury.gov/policy-issues/cares/emergency-rental-assistance-program) (ERA) to renters in need. The revised FAQ directly addresses the significant [flaws](https://nlihc.org/sites/default/files/NLIHC-Letter-on-FAQ_01212021_Final.pdf) in the previous guidance issued by the Trump administration and includes many of the [recommendations](https://nlihc.org/sites/default/files/NLIHC_recommendations_for_Treasury_ERA_guidance.pdf) made by NLIHC and the NLIHC-led Disaster Housing Recovery Coalition (DHRC). The DHRC developed these recommendations with direct input from local stakeholders about challenges and lessons learned in responding to the pandemic. The recommendations are also based on NLIHC’s [analysis](https://nlihc.org/sites/default/files/Emergency-Rental-Assistance-Programs-3.pdf) and tracking of [more than 600 state and local rental assistance programs](https://nlihc.org/rental-assistance) created or expanded during the pandemic.

The updated FAQ includes the following clarifications:

* Renters may self-attest to meeting most eligibility criteria, including income, housing stability, and the amount of rent arrears, provided that certain safeguards are met. Self-attestations will help reduce the burden on program administrators and renters.
* The timeframe is shortened from 21 days to as little as 10 days before assistance can be provided directly to tenants in cases when landlords refuse to participate in the program or are unresponsive.
* Assistance can cover home internet costs needed for distance learning, telework, and telehealth, helping to keep families connected to school, work, and healthcare.
* Some of the funds may be used to provide legal assistance to renters facing eviction under certain conditions.

See NLIHC’s [FAQ](https://nlihc.org/sites/default/files/FAQs_Emergency-Rental-Assistance.pdf) for more information on Treasury’s ERA program and the revised guidance.

The Department of Treasury will issue further guidance, and NLIHC and the DHRC will continue to advocate for improvements to ensure the funding reaches the lowest-income and most marginalized renters. NLIHC is preparing a letter to Treasury that outlines needed improvements and calls for additional clarity on key ERA provisions in future guidance.

Read Treasury’s new ERA guidance at <https://bit.ly/3kkKuOb>

Read NLIHC’s updated FAQ at <https://bit.ly/3aR1Kan>

## New Resource on Targeting Emergency Rental Assistance for Homelessness Prevention from the Framework for an Equitable COVID-19 Homelessness Response

[Partners](https://mailchi.mp/nlihc.org/unprecedented-times-call-for-unprecedented-partnerships-framework-for-an-equitable-covid-19-homelessness-response?e=9a6d09536f) leading the work on the [Framework for an Equitable COVID-19 Homelessness Response](https://housingequityframework.org/) on February 25 released a new resource to help communities target emergency rental assistance to prevent homelessness and address racial inequities. “[Having the Greatest Impact on Preventing Homelessness and Addressing Racial Inequities with New Federal Emergency Rental Assistance Resources](https://endhomelessness.org/wp-content/uploads/2021/02/2-24-21_TargetingEmergencyRentalAssistance.pdf)” provides communities with steps they can take to ensure emergency rental assistance (ERA) programs are designed to target households at greatest risk of housing instability and homelessness while centralizing racial justice and equity.

The guidance encourages ERA program administrators to target funding to neighborhoods experiencing the greatest COVID-19 impacts and at greatest risk for eviction and homelessness. Administrators are encouraged to partner with organizations and residents in historically marginalized neighborhoods to perform outreach, engage with small landlords, and implement an application process that is accessible to people with limited internet access, limited English proficiency, and accessibility needs. Assessments should also be performed while funds are being distributed to determine which neighborhoods are being adequately served and to ensure funds are being distributed equitably.

ERA program administrators should prioritize the lowest-income households – those earning 30% or less of area median income – and households with a history of homelessness. Partnering with organizations already serving extremely low-income households or people experiencing homelessness can help administrators quickly identify which households are most at-risk. Moreover, making implementation flexible by utilizing self-attestation whenever possible can help ensure those most vulnerable to eviction and homelessness – including unbanked people, people without formal leases, undocumented people, and people without formally documented incomes – are still able to access this crucial funding.

Read “Having the Greatest Impact on Preventing Homelessness and Addressing Racial Inequities with New Federal Emergency Rental Assistance Resources” at: <https://tinyurl.com/up365c>

View all of the resources available from the *Framework for an Equitable COVID-19 Homelessness Response* at: <https://housingequityframework.org/>

# 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 (March 1) national call on coronavirus, disasters, housing, and homelessness at 2:30-4 pm ET to hear more about the [ruling against the CDC eviction moratorium](https://nlihc.org/news/statement-nlihc-president-and-ceo-diane-yentel-re-federal-district-court-decision-cdc-eviction) and needed next steps to prevent tens of millions of people from losing their homes during the pandemic. We will also hear about the new Treasury guidance for Emergency Rental Assistance (ERA) programs, advancing equity in ERA programs, and increasing access to vaccines for people experiencing homelessness. We will receive field updates, get the latest from Capitol Hill on the “American Rescue Plan Act,” and more.

Register for the national call at: [https://tinyurl.com/ru73qan](https://nlihc.us4.list-manage.com/track/click?u=e702259618becdc3f0451bd5d&id=caa293d514&e=e814653c2a)

See the full agenda [here](https://nlihc.org/covid-19-working-groupcalls).

## Recording Available of NLIHC’s February 22 National Call on “Coronavirus, Disasters, Housing, and Homelessness”

During the most recent national call on [coronavirus, disasters, housing, and homelessness](https://www.youtube.com/watch?v=VAHwnRi_0Js&feature=youtu.be), participants heard about the impact of the winter storm in Texas, discussed the Department of Treasury’s new FAQ on emergency rental assistance (ERA), learned about state and local efforts to expand right to counsel laws, and discussed the how the new FEMA Executive Order could be improved to serve people with disabilities living in congregate settings. The call also included field updates and an update about the status of the COVID-19 relief bill.

Eric Samuels of the [Texas Homeless Network](https://www.thn.org/) discussed the impact of the recent winter storm in Texas, where at least six people experiencing homelessness passed away as a result of the storm. NLIHC’s Diane Yentel discussed Treasury’s [revised FAQ](https://home.treasury.gov/system/files/136/ERA-Frequently-Asked-Questions_Pub-2-22-21.pdf?utm_source=NLIHC+All+Subscribers&utm_campaign=fab1434bd7-DHRC-Update-2.22.2021&utm_medium=email&utm_term=0_e090383b5e-fab1434bd7-291742445&ct=t(DHRC-Update-2.22.2021)) on ERA. The new guidance allows for self-attestation in almost all cases where eligibility is required, gives flexibility in the documentation that can be used to prove residency, and allows ERA funding to cover certain internet costs related to school, work, or telehealth. The FAQ also makes clear that households living federally subsidized properties are eligible for ERA and shortens the timeline for providing assistance directly to residents if landlords refuse assistance or cannot be contacted.

John Pollock from the [National Coalition for a Civil Right to Counsel](http://civilrighttocounsel.org/) discussed the need for right to counsel laws for tenants facing eviction. Right to counsel laws have been introduced in cities and states across the country, and areas that have implemented right to counsel laws have seen reductions in evictions – in New York City, 86% of tenants with legal representation remain in their homes, and in Cleveland, Ohio, 93% of those represented avoided eviction or an involuntary move.

Marcie Roth of the [World Institute on Disability](https://wid.org/) provided insights on how a recent [FEMA Executive Order](https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/21/extend-federal-support-to-governors-use-of-national-guard-to-respond-to-covid-19-and-to-increase-reimbursement-and-other-assistance-provided-to-states/?utm_source=NLIHC+All+Subscribers&utm_campaign=2052cd5f14-DHRC-Update-2.3.2021&utm_medium=email&utm_term=0_e090383b5e-2052cd5f14-293345274&ct=t&utm_source=NLIHC+All+Subscribers&utm_campaign=fab1434bd7-DHRC-Update-2.22.2021&utm_medium=email&utm_term=0_e090383b5e-fab1434bd7-291742445&ct=t(DHRC-Update-2.22.2021)) can be improved to allow people with disabilities living in congregate care facilities to move to safer, non-congregate settings. Thirty-nine percent of all COVID-19 deaths have been in nursing homes, but despite the urgent safety concern the FEMA Executive Order does not apply to people living in institutional settings. We received field updates from John Pourciau of the City of New Orleans’ Mayor’s Office, who discussed the implementation and success of the [city’s rental assistance program](https://ready.nola.gov/incident/coronavirus/assistance/?utm_source=NLIHC+All+Subscribers&utm_campaign=fab1434bd7-DHRC-Update-2.22.2021&utm_medium=email&utm_term=0_e090383b5e-fab1434bd7-291742445&ct=t(DHRC-Update-2.22.2021)#rent), and Adrienne Bush from the [Homeless and Housing Coalition of Kentucky](https://www.hhck.org/), who highlighted the rate of evictions in Louisville, despite the CDC eviction moratorium. NLIHC’s Sarah Saadian provided updates on the [American Rescue Plan Act](https://nlihc.us4.list-manage.com/track/click?u=e702259618becdc3f0451bd5d&id=97ba2dfa01&e=ea65f33f49).

NLIHC hosts national calls on Coronavirus, Disasters, Housing, and Homelessness every week. On today’s call, we will be joined by Noel Poyo, deputy assistant secretary for community economic development at the Department of the Treasury. Register for today’s call (Monday, March 1 at 2:30 pm ET) at: <https://tinyurl.com/ru73qan>

Watch a recording of the February 22 call at: [tinyurl.com/199ygmww](http://tinyurl.com/199ygmww)

Access presentation slides at: [tinyurl.com/e9gnhukq](http://tinyurl.com/e9gnhukq)

## Additional Coronavirus Updates – March 1, 2021

**New NLIHC Resources**

* [Frequently Asked Questions: Treasury’s Emergency Rental Assistance (ERA) Program](https://nlihc.org/sites/default/files/FAQs_Emergency-Rental-Assistance.pdf)
* [“American Rescue Plan Act”: Estimated Allocations of Homeless Assistance Grants](https://nlihc.org/sites/default/files/Estimated-Allocations-Homeless-Assistance_American-Rescue-Plan-Act.pdf)

**National Updates**

*Biden Administration*

President Biden [announced](https://www.whitehouse.gov/briefing-room/statements-releases/2021/02/24/a-letter-on-the-continuation-of-the-national-emergency-concerning-the-coronavirus-disease-2019-covid-19-pandemic/) on February 24 that the COVID-19 national emergency declared last March will remain in effect beyond March 1, 2021, given that the pandemic continues to cause significant risk to the public health and safety of the country.

*Department of Veterans Affairs*

The Department of Veterans Affairs (VA) [announced](https://www.va.gov/opa/pressrel/pressrelease.cfm?id=5620) it will extend existing moratoriums on evictions and foreclosures and VA loan forbearance requests to June 30.

*Advocacy*

The National Consumer Law Center [released](https://www.nclc.org/media-center/report-what-states-can-do-to-save-lives-and-protect-seriously-ill-residents-from-utility-shut-offs.html) a new [50-state report](https://www.nclc.org/media-center/report-what-states-can-do-to-save-lives-and-protect-seriously-ill-residents-from-utility-shut-offs.html) analyzing statewide protections against utility shut-offs of households where someone is seriously ill. The report finds that most states can improve their protections. Download the report and appendices, including each state’s rules and recommendations for crafting a strong rule at <http://bit.ly/ill-consumer-utility>

The National Health Care for the Homeless Council (NHCHC) is circulating a [sign on letter](https://docs.google.com/forms/d/e/1FAIpQLSci9hrNFTh78KE8hTNqXKWeYtDoVskp0JjlqfhNAkCZqdirQA/viewform) to governors and state and local health authorities calling on officials to give COVID-19 vaccine priority status to people experiencing homelessness, especially individuals living in shelters, encampments, and other congregate settings. Read the [full letter](https://nhchc.org/wp-content/uploads/2021/02/Letter-to-states-vaccine-priority-for-homeless-2.pdf) and [sign on](https://docs.google.com/forms/d/e/1FAIpQLSci9hrNFTh78KE8hTNqXKWeYtDoVskp0JjlqfhNAkCZqdirQA/viewform).

*Reporting*

The [*Economist*](https://www.economist.com/graphic-detail/2021/02/19/americas-eviction-moratorium-has-probably-saved-thousands-of-lives)reports [research](https://www.nber.org/papers/w28394) demonstrating that eviction moratoriums in the U.S. have helped to slow the spread of COVID-19, likely saving thousands of lives. The researchers estimate that policies limiting evictions reduce COVID-19 infections by 3.8% and deaths by 11%.

[*NPR*](https://www.npr.org/2021/02/24/970190910/for-black-families-evictions-are-still-at-a-crisis-point-despite-moratorium)reports that the pandemic has exacerbated racial disparities in housing instability and eviction and could widen the gap for years to come. Black renters face higher rates of housing instability and eviction. During the pandemic, Black people have been more likely than white people to lose their jobs and three times more likely to be hospitalized with COVID-19.

[*Stateline*](https://www.pewtrusts.org/en/research-and-analysis/blogs/stateline/2021/02/22/tenants-struggle-amid-patchwork-of-state-rental-relief-efforts)examines the struggles tenants are facing amid a patchwork of state and local rent relief efforts. Some states, such as [Michigan](https://www.freep.com/story/news/local/michigan/2021/02/02/michigan-eviction-rental-covid-relief/6598878002/), have not accepted federal rent relief funds due to partisan standoffs, and other states have struggled with the logistics of distributing rental assistance, leaving tenants at risk for eviction.

[*CityLab*](https://www.bloomberg.com/news/articles/2021-02-18/losing-sleep-over-housing-instability)discusses a new [study](https://pubmed.ncbi.nlm.nih.gov/33523227/) by RAND Corporation demonstrating that falling behind on rent or being evicted takes a toll on the amount of sleep people get. While the study predates COVID-19, the pandemic has called attention to the connection between housing instability, poor sleep, and serious health problems that, in turn, make people more susceptible to COVID-19.

[*Time*](https://time.com/5940505/housing-crisis-2021/)reports on the looming eviction crisis, examining the challenges facing renters and mom-and-pop landlords. Almost half of the nearly 49 million rental units in the U.S. are owned by small landlords. The article highlights how racial inequities in housing are visible in our current eviction crisis and discusses how President Biden’s housing platform includes universal housing vouchers.

**State and Local News**

*Arkansas*

[Arkansas Renters United](https://katv.com/news/local/its-like-were-drowning-renters-relieved-by-eviction-ban-extension-but-need-more-help) says renters desperately need more rental assistance. While President Biden’s action to extend the federal eviction moratorium through March 31 is crucial, many Arkansans are struggling to find work and afford their rent. In 2020, [more than 3,000 households in Arkansas](https://www.nwahomepage.com/news/a-closer-look/a-closer-look-rental-assistance-resources-during-covid-19/) faced eviction for nonpayment of rent. Tenants who are facing eviction can reach out to [Legal Aid of Arkansas](https://arlegalaid.org/) and the [Center for Arkansas Legal Services](https://www.arkansaslegal.org/).

*California*

The [Los Angeles County Board of Supervisors](https://www.nbclosangeles.com/news/coronavirus/southern-california-coronavirus/la-county-extends-moratorium-on-evictions-through-june-30/2534239/) voted on February 23 to extend a local eviction moratorium through June 30. The moratorium applies where it does not overlap with state protections for residential tenants unable to pay rent. It covers commercial evictions, no-fault evictions, and prohibits evicting tenants for unauthorized occupants, pets, and other nuisances.

Despite statewide eviction protections, evictions continue to occur across California, including in the city of Richmond. Due to a high number of evictions, [Richmond city attorneys](https://www.kqed.org/news/11860656/high-number-of-evictions-prompts-richmond-to-consider-stronger-protections) are working on drafting an eviction protection ordinance modeled after San Francisco and Alameda counties, which have seen the fewest evictions in the region.

*Colorado*

The Housing Division of the [Colorado Department of Local Affairs](https://www.9news.com/article/money/economy/colorado-rental-assistance-requests/73-6ba2181c-2802-453f-b689-46c47d3d8f80) saw more rental assistance requests in January than in all of 2020. The department oversees two rental assistance programs – the Emergency Housing Assistance Program (EHAP) and the Property Owner Preservation program (POP). Visit the state’s [pandemic relief housing program data dashboard](https://public.tableau.com/profile/connor.everson5568#!/vizhome/HousingReliefProgramsDashboard/ApplicationsRequests) to see the requests made of, and payments made by, these programs. The dashboard will be updated weekly on Mondays.

[*9 News*](https://www.9news.com/article/news/investigations/colorado-covid-evictions/73-e10a1374-cf15-47a8-bd02-9a412754988d?fbclid=IwAR3mwCUzSDpH66N277zeZ7tyfEdSk4b7OHefnzIC7-lyxnKjqJsAbBJ28rY)reports that while documented evictions in Colorado courts are low due to eviction moratoriums and rental assistance, there are likely thousands of “hidden” or “informal” evictions taking place. The state has seen a surge in rental assistance applications, indicating a potential looming eviction crisis. In January alone, Colorado renters and landlords applied for $52 million in rent relief. A [report](https://drive.google.com/file/d/1jLvU1-fUUzec6v8taGwK2QOYYaLPGnY6/view) from the governor’s eviction prevention task force indicates between 150,000 and 230,000 Colorado households are at risk for eviction, with Black Coloradans 6.6 times more likely to be behind on rent than white renters.

*Delaware*

The [Delaware State Housing Authority](https://mailchi.mp/fe18692b01fc/check-out-our-new-look-for-dsha-highlights-4817599) (DSHA) is working to reopen the Delaware Housing Assistance Program (DEHAP), which will receive about $200 million in federal rental assistance funds. DSHA is developing a web portal for applicants and working to ensure they have the capacity to review and process payments to landlords.

*Florida*

Despite the federal eviction moratorium, some [Florida landlords](https://www.wlrn.org/news/2021-02-11/the-cdc-moratorium-and-month-to-month-leases-evictions-in-south-florida-are-still-happening) are using a loophole to continue evicting tenants on month-to-month leases. Attorneys at the Community Justice Project and Legal Services of Greater Miami are seeing many situations in which landlords are evicting month-to-month tenants.

The [*Sun-Sentinel*](https://www.sun-sentinel.com/business/fl-bz-renter-landlord-relief-update-20210214-d6ykkmzoqzd5vg3imyfprba3p4-story.html)reports that Broward, Palm Beach, and Miami-Dade counties are finalizing details of how they plan to distribute millions of federal rental assistance. [Palm Beach County](https://www.rentalassistancepbc.org/) will begin accepting applications to its $45.2 million program in the beginning of March. Miami-Dade County has $60 million in rent relief to distribute. Of 6,000 to 7,000 pending eviction cases in Miami-Dade County, nearly 1,700 await a judge’s signature – the final authorization to evict tenants.

*Hawaii*

Despite federal and statewide eviction moratoriums, [landlords in Hawaii](https://www.kitv.com/story/43351356/theres-loopholes-for-landlords-under-the-states-eviction-moratorium-during-the-pandemic) are using loopholes to continue evicting tenants. Landlords are evading the moratorium by selling their properties or having relatives move into the property. Governor David Ige [extended Hawaii’s moratorium](https://governor.hawaii.gov/newsroom/office-of-the-governor-news-release-governor-ige-extends-eviction-moratorium-addresses-future-quarantine-exceptions-in-18th-covid-19-emergency-proclamation/) through at least April 13.

*Illinois*

Despite state and federal eviction moratoriums, [Chicago housing advocates](https://chicago.suntimes.com/politics/2021/1/29/22244208/chicago-housing-crisis-eviction-moratorium-covid-coronavirus-pandemic-covid19) continue to receive calls from renters facing illegal evictions or tactics designed to force them from their homes. The Metropolitan Tenants Organization has received more than 500 calls since last March about illegal lockout attempts.

The [Illinois Supreme Court](https://www.wifr.com/2021/02/23/ill-supreme-court-approves-temporary-orders-for-eviction-cases-electronic-signatures/) announced two new temporary orders and one amended order concerning evictions and electronic signatures in Illinois courts. The [orders,](http://www.illinoiscourts.gov/SupremeCourt/Announce/default.asp) developed by a COVID-19 task force, address the anticipated wave of evictions when state and federal eviction moratoriums expire and improve access to justice for self-represented litigants.

*Indiana*

Indiana lawmakers [voted to overturn](https://www.wfyi.org/news/articles/lawmakers-override-tenantlandlord-veto) Governor Eric Holcomb’s veto of [Senate Bill 148](http://iga.in.gov/legislative/2020/bills/senate/148) and immediately enact the measure. The new law gives landlords the right to bring expedited eviction actions against tenants for nonpayment of rent and eliminates local rental regulations. [Critics of the law](https://www.nwitimes.com/news/local/govt-and-politics/new-indiana-law-enacted-over-governors-veto-speeds-evictions-eliminates-local-rental-regulations/article_d5d9468f-2aa5-5bae-bd44-3f9154433239.html) say it is unconscionable for Republican lawmakers to attack local tenant protections while 720,000 Hoosiers are currently at risk of eviction amid the ongoing pandemic.

*Kentucky*

[Kentucky legislators](https://www.kentucky.com/news/politics-government/article249478465.html) introduced a bill ([S.B. 264](https://apps.legislature.ky.gov/record/21rs/sb264.html)) that would prohibit the governor from issuing an eviction moratorium during a formal state of emergency, as Governor Andy Beshear did last year to protect renters amid the COVID-19 pandemic. [Another bill](https://www.kentucky.com/news/politics-government/article249148635.html) advancing through the legislature would prohibit Governor Beshear’s administration from temporarily suspending utility shutoffs and waiving late fees during emergencies.

*Louisiana*

While evictions have decreased in New Orleans under the federal eviction moratorium, tenants continue to be [evicted in Metairie](https://www.nola.com/news/courts/article_962c0786-6d82-11eb-a274-af23ceffbce1.html). One of eight justices of the peace in Jefferson Parish is taking a far stricter approach to evictions than his counterparts in New Orleans, resulting in fewer trial delays and more evictions.

*Massachusetts*

The [*Boston Globe*](https://www.bostonglobe.com/2021/02/20/business/how-one-city-is-stemming-evictions-one-person-time/)reports that over the last several months, the City of Malden has invested significant resources into staving off evictions, including providing legal aid to tenants, negotiating with large landlords, enacting an eviction moratorium, and tapping federal COVID aid for a city rent relief program. The city has partnered with local social service agencies and received assistance from housing advocates and volunteer groups in helping renters access aid.

*Minnesota*

[Minnesota Attorney General Keith Ellison](https://www.twincities.com/2021/02/17/keith-ellison-mn-ag-sues-apple-valley-landlord-for-pandemic-eviction/) on February 17 announced his office is [suing](https://www.ag.state.mn.us/Office/Communications/2021/docs/Wentzlaff_Complaint.pdf) a landlord for allegedly evicting tenants illegally during the pandemic. The landlord falsely claimed her relatives would move into the property, which is an exemption to the CDC moratorium, but instead she put it up for sale. “This case should serve as a warning to any landlord even thinking about it: If you falsely claim an exemption applies in an effort to force your tenants out during this emergency, my office will not hesitate to take action against you,” Ellison said in a [news release](https://www.ag.state.mn.us/Office/Communications/2021/02/17_Wentzlaff.asp).

[Minnesota Housing](https://www.mnhousing.gov/sites/np/covid19emergencyrentalassistance) announced that Minnesota’s new COVID-19 Emergency Rental Assistance Program will open in late March.

*Nebraska*

Advocates and organizations serving [Lincoln tenants facing eviction](https://nebraska.tv/news/local/advocates-see-eviction-numbers-increase-with-moratoriums-ending-march-31st) report the number of evictions continues to grow as eviction protections are set to expire at the end of March. Renters facing eviction are encouraged to reach out to the [Lincoln Tenant Assistance Project](https://www.facebook.com/LNKTAP/) and [Community Action’s Tenant Support Services resources website](https://www.communityactionatwork.org/tenant-support/welcome.html).

Nebraska is now accepting applications for its [$200 million Emergency Rental Assistance Program](https://coronavirus.nebraska.gov/EmergencyRentalAssistanceProgram). Nebraska residents, except those in Douglas or Lancaster Counties, can apply for assistance now.

[Lincoln and Lancaster County](https://journalstar.com/news/local/govt-and-politics/lincoln-lancaster-county-net-nearly-15m-for-rental-assistance-with-federal-eviction-moratorium-set-to/article_35407464-e0b1-5ded-9285-f8b0d6398d21.html) together have received nearly $15 million in federal rental and utility assistance funds. More than 1,100 people contacted Lincoln’s rental assistance administrators since the program began last year, and 850 payments have been approved. Both counties are preparing to staff and launch an online portal to help an influx of applicants for the new funds. Housing advocates have called on the city to enact its own blanket eviction moratorium, but neither the city council nor the mayor has proposed one.

*New York*

[New York’s eviction moratorium pause ends](https://www.thecity.nyc/2021/2/24/22299167/new-york-eviction-moratorium-pause-ends-feb-26) on Friday, February 26. After February 26, pending eviction cases can move forward again in court and new cases can be filed – unless a tenant submits a [hardship declaration form](https://www.nycourts.gov/Courts/nyc/SSI/images/corona/HardshipDeclaration.pdf) to the court or their landlord. The moratorium is extended until May 1 only for tenants who filled out the hardship declaration. Tenants can use the [Eviction Free NY tool](https://www.evictionfreeny.org/en/declaration/welcome) (also available in [Spanish](https://www.evictionfreeny.org/es/declaration/welcome)) to fill out and submit the declaration online.

*Pennsylvania*

The [*Philadelphia Inquirer*](https://www.inquirer.com/health/coronavirus/homeless-philadelphia-hotels-shelter-fema-federal-biden-20210214.html)reports that advocates are urging Philadelphia officials to use FEMA funding to provide hotel rooms for individuals who are homeless. Despite the Biden administration’s decision to provide 100% reimbursement for non-congregate sheltering, Philadelphia officials do not plan on using FEMA funds to house individuals who are homeless in hotels. Advocates report that conditions at some of the city’s shelters are dangerous and continue to urge city officials to reopen COVID hotels and expand the program to meet all the demonstrated needs.

[Pittsburgh City Council Members](https://triblive.com/local/citywide-eviction-moratorium-proposal-nears-adoption-by-pittsburgh-council/) announced they are committed to enacting a citywide eviction moratorium when they meet next week. Until then, they will work with other city officials and Mayor Bill Peduto’s administration to craft a law that temporarily protects people facing eviction. Pittsburgh and Allegheny County are partnering with Action Housing and Dollar Energy on a [$27 million rental assistance program](https://covidrentrelief.alleghenycounty.us/).

*Texas*

[*Houston Public Media*](https://www.houstonpublicmedia.org/articles/news/houston/2021/02/24/392145/houston-area-judges-are-evicting-renters-who-could-be-protected-under-federal-order/)reports that more than 13,000 evictions have been filed since the CDC eviction moratorium went into effect, and more than 24,000 evictions have been filed in the Houston area since the start of the pandemic. According to a new report from [January Advisors](https://www.januaryadvisors.com/cdc-eviction-moratorium-houston/), there is a significant gap in how Harris County judges are applying the federal order, including whether or not judges choose to tell renters about their rights under the CDC moratorium.

[Texas Housers](https://texashousers.org/2021/02/22/texas-coronavirus-relief-bill-rental-assistance-program/) explains how tenants can apply for assistance from the Texas Rent Relief Program.

*Utah*

The [*Deseret News*](https://www.deseret.com/utah/2021/2/20/22289806/poll-nearly-half-of-utahns-say-the-state-should-have-a-moratorium-on-evictions-in-pandemic-covid-cox)reports that nearly half of Utahns say the state should enact an eviction moratorium. Housing advocates contend that the federal eviction moratorium is failing to protect large numbers of Utah renters. Governor Spencer Cox does not plan to reenact the statewide moratorium, but he reports the need for an additional round of federal rent relief.

*Virginia*

[*DCist*](https://dcist.com/story/21/02/16/more-rent-assistance-is-coming-in-virginia/)reports that Virginia will receive at least $160 million in additional federal rent relief. Evictions, however, are proceeding across the state. Despite the federal eviction moratorium, nearly 5,000 eviction judgments were issued in Virginia between October and December of 2020, according to the [RVA Eviction Lab](https://rampages.us/rvaevictionlab/wp-content/uploads/sites/33937/2021/01/RVAEL_2020-Q4-data-report.pdf). A new [Virginia law requires landlords](https://www.dhcd.virginia.gov/sites/default/files/Docx/landlord-tenant/tenant-after.pdf) to help tenants obtain rental assistance before they can move forward with an eviction.

Learn about the Equal Justice Works [Housing Justice Program](https://www.equaljusticeworks.org/news/preventing-evictions-and-increasing-protections-for-tenants-in-virginia-the-story-of-the-equal-justice-works-housing-justice-program/), which was designed to prevent evictions and increase tenant protections in Virginia, and the work they have been doing to fight for tenants [amid the COVID-19 pandemic](https://www.equaljusticeworks.org/news/equal-justice-works-housing-justice-program-continues-to-fight-for-tenants-as-mass-evictions-loom/) and looming eviction crisis.

*Washington*

King County Superior Court Judge Johanna Bender [rejected a landlord group’s challenge](https://www.seattletimes.com/business/real-estate/judge-upholds-seattle-eviction-regulations-after-landlord-lawsuit/) to three Seattle laws meant to protect renters from eviction when the COVID-19 eviction moratorium expires.

*Wisconsin*

[*WKOW*](https://wkow.com/2021/02/17/the-need-is-enormous-moratorium-not-stopping-evictions-in-wi/)reports that the federal eviction moratorium has not kept landlords from finding ways to evict Wisconsin renters. Despite the moratorium, [Legal Action of Wisconsin](https://www.legalaction.org/) says there have been over 7,000 eviction cases filed across the state since September 4, 2020, with 424 of those in Dane County. The Tenant Resource Center (TRC) estimates that Dane County alone is facing an $8.5 million rent debt every month. TRC started [accepting applications](https://www.tenantresourcecenter.org/dane_county_core_now_live?splash=1) for a new rental assistance program funded through the federal government.

The pandemic has increased housing instability in the [Milwaukee area](https://www.gmtoday.com/health/addressing-milwaukee-s-eviction-crisis/article_594776d9-6600-5565-8f49-1900a3d1c516.html), and these impacts will continue to exist after the immediate COVID-19 crisis passes. Milwaukee County Circuit Judge Pedro Colon suggests that some of the emergency tools enacted to address housing issues during the pandemic be adapted to provide long-term solutions.

**Guidance**

*Centers for Disease Control and Prevention*

[COVID-19 Vaccination for People Experiencing Homelessness: Frequently Asked Questions](https://www.cdc.gov/coronavirus/2019-ncov/community/homeless-shelters/vaccine-faqs.html) – Updated February 17, 2021

*Department of Agriculture*

[USDA Fact Sheet: Update on USDA Activities to Contain the COVID-19 Pandemic](https://www.usda.gov/media/press-releases/2021/02/24/fact-sheet-update-usda-activities-contain-covid-19-pandemic) – February 24, 2021

*Department of the Treasury*

[Emergency Rental Assistance (ERA) Frequently Asked Questions](https://home.treasury.gov/system/files/136/ERA-Frequently-Asked-Questions_Pub-2-22-21.pdf) – Revised February 22

*National Health Care for the Homeless Council*

[CDC-NHCHC COVID-19 Testing Data Dashboard](https://nhchc.org/cdc-covid-dashboard/home/)

## Additional Disaster Housing Recovery Updates – March 1, 2021

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

Learn more about the DHRC’s policy recommendations [here](https://nlihc.org/explore-issues/projects-campaigns/disaster-housing-recovery/policy).

**Winter Storm**

President Biden on February 20 [approved](https://www.fema.gov/press-release/20210220/president-joseph-r-biden-jr-approves-major-disaster-declaration-texas) a [Major Disaster Declaration](https://www.fema.gov/disaster/4586) for Texas, making FEMA Individual Assistance (IA) available in 77 counties impacted by the recent winter weather. The Major Disaster Declaration was [expanded](https://www.fema.gov/press-release/20210222/texas-winter-storm-survivors-31-additional-counties-can-apply-federal) to enable Texas homeowners and renters in 31 additional counties to apply for IA. This assistance can include grants for temporary housing and home repairs, low-cost loans to cover uninsured property losses, and other programs to help survivors recover from the effects of the severe winter storm. See FEMA’s [DR-4586-TX](https://www.fema.gov/disaster/4586) page for more information. HUD on February 22 [announced](https://www.hud.gov/press/press_releases_media_advisories/HUD_No_21_028) that President Biden’s major disaster declaration allows HUD to offer foreclosure relief and other assistance to Texans affected by the severe winter storm.

President Biden approved on February 25 a [Major Disaster Declaration for Oklahoma](https://www.fema.gov/press-release/20210225/president-joseph-r-biden-jr-approves-major-disaster-declaration-oklahoma) to help individuals affected by the severe winter storms. The declaration makes FEMA’s Individual Assistance (IA) available to affected individuals in 16 counties. Public Assistance (PA) is available on a cost-sharing basis for emergency protective measures statewide. President Biden previously approved emergency declarations for [Louisiana](https://www.fema.gov/press-release/20210218/president-joseph-r-biden-approves-emergency-declaration-louisiana), [Oklahoma](https://www.fema.gov/press-release/20210218/president-joseph-r-biden-approves-emergency-declaration-oklahoma), and Texas. These declarations authorize FEMA to provide emergency protection measures for mass care and sheltering and direct federal assistance.

[*Vox*](https://www.vox.com/the-goods/22289581/mutual-aid-helps-texas-storm)reports on how mutual aid groups in Texas have organized to help those in need. Local organizing efforts in cities like Austin, Dallas, and Houston have worked to relocate homeless residents and other at-risk individuals in the face of a lacking government response. [*Vox*](https://www.vox.com/the-goods/2021/2/18/22289892/texas-hotel-booking-prices-storm)also reports that hotel room prices across Texas have skyrocketed amid the crisis. Additionally, [FEMA is warning](https://twitter.com/FEMARegion6/status/1362436773616484353) residents to be wary of hotel scams, especially ones that claim FEMA will cover residents’ hotel costs.

At least [six people experiencing homelessness](https://www.texastribune.org/2021/02/22/texas-winter-storm-homeless-deaths/) died during the devastating winter storm and power outages, and that number could rise. Before and during the storm, advocates drove through Texas’ cities trying to bring unsheltered individuals to available warming centers and emergency shelters.

The [*Texas Tribune*](https://www.texastribune.org/2021/02/19/Texas-winter-storm-suffering-inequities/)reports that Texans of color, disproportionately impacted by the pandemic and economic fallout, tend to live in neighborhoods with older homes, more vulnerable pipes, and fewer food options – making it more difficult to withstand the winter storm and subsequent power outages. On top of these challenges, some communities were left to endure the cold temperatures with little or no information about what was happening, as information was not translated or targeted to non-English speaking communities.

[*CityLab*](https://www.bloomberg.com/news/articles/2021-02-18/winter-storms-target-homeless-in-texas-and-oregon?srnd=citylab)reports on the severe winter weather that brought deadly risks for unsheltered individuals, noting that electricity outages put additional strain on homelessness resources. Eric Samuels of the Texas Homeless Network says he wishes that more communities across Texas would take advantage of using hotel rooms to house people.

*Resources:*

* [Texas Rio Grande Legal Aid: Winter Disaster 2021 Resources](https://www.trla.org/disaster)
* [Texas Homeless Network: Texas Winter Storm Homelessness Resources](https://www.thn.org/texas-winter-storm/)

**Hurricanes Laura and Delta**

[*EcoWatch*](https://www.ecowatch.com/hurricane-louisiana-homeless-2650697656.html)reports that Hurricanes Laura and Delta started a vicious cycle of homelessness for many Southwest Louisiana residents. The region faced an affordable housing crisis before the devastating storms, and after the hurricanes, landlords used loopholes to evict tenants despite the federal eviction moratorium.

# Federal Budget and Appropriations

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

Advocates for housing, community development, and ending homelessness are collaborating on a letter urging Congress to provide the highest possible funding for HUD and US 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](https://tinyurl.com/4vq836e6)

In the coming weeks, Congress will decide how to distribute 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](https://tinyurl.com/4vq836e6)

# Congress

## NLIHC Endorses Two Bills Acknowledging the Vital Importance of Affordable, Stable Housing

NLIHC endorsed two proposals acknowledging the fundamental necessity of affordable, stable housing. The first, the “[Inalienable Rights Constitutional Amendment](https://www.congress.gov/bill/117th-congress/house-joint-resolution/20/text?q=%7B%22search%22%3A%5B%22Proposing+an+amendment+to+the+Constitution+of+the+United+States+recognizing+and+securing+the+fundamental+right+to+life%2C+liberty%2C+and+property%2C+which+includes+housing%2C+health+care%2C+education%2C+and+nutrition.%22%5D%7D&r=1&s=1),” was introduced on January 28 by Representatives Alma Adams (D-NC), Janice Schakowsky (D-IL), and Ilhan Omar (D-MN) as a joint resolution proposing to amend the Constitution to recognize peoples’ fundamental right to life, liberty, and property, including housing, health care, education, and nutrition.

Second, Senators Bob Menendez (D-NJ) and Susan Collins (R-ME), with Representatives Tom Malinowski (D-NJ) and Mario Diaz-Balart (R-FL), introduced on February 24 the “[National Coronavirus Commission Act of 2021](https://www.menendez.senate.gov/imo/media/doc/COVID%20Commission%20Bill%20Text%202.24.21.pdf).” If enacted, the bill would create an independent, non-partisan commission charged with investigating the economic response to the COVID-19 pandemic, including the impact of rental and mortgage assistance, eviction moratoriums, and foreclosure relief. The commission would also consider the disproportionate impact of the economic crisis on underserved communities, rural populations, communities of color, older adults, people with disabilities, and other populations who have experienced health or economic disparities related to the pandemic.

## House Passes the “Equality Act” to Expand LBGTQ Protections

The House of Representatives voted 224 to 206 to approve the “Equality Act,” which would expand civil rights protections to LBGTQ individuals by banning discrimination based on sexual orientation and gender identity in housing, education, employment, and other areas. NLIHC strongly supports the bill, which now heads to the Senate. The bill was first introduced in 2019, passing in the House but blocked for further consideration in the Senate (see *Memo* [05/20/2019](https://nlihc.org/resource/house-passes-equality-act-expand-lgbtq-protections)*).*

The legislation was reintroduced by Representative David Cicilline (D-RI) in the House and Senator Jeff Merkley (D-OR) in the Senate, along with 224 House cosponsors. The bill will be formally reintroduced in the Senate later this week.

As stated in Representative Cicilline’s [press release](http://bit.ly/3uA7htN), in 27 states, people can be denied housing because of their sexual orientation or gender identity. LGBTQ people can also be denied access to education in 31 states and the right to serve on a jury in 41 states. The Equality Act would amend the 1964 Civil Rights Act to explicitly prohibit discrimination on the basis of sexual orientation and gender identity in employment, education, housing, credit, jury service, public accommodations, and federal funding.

President Biden stated during his campaign that passage of the Equality Act would be one of his top legislative priorities. On his first day in office, the president signed an executive order directing the federal government to fully implement the U.S. Supreme Court’s landmark ruling in [Bostock v. Clayton County, Georgia](https://www.scotusblog.com/case-files/cases/bostock-v-clayton-county-georgia/) (see *Memo*, [01/25](http://bit.ly/2MPk2zU)). The ruling, issued on June 15, 2020, held that Title VII of the Civil Rights Act bars discrimination based on gender identity and sexual orientation (see *Memo*, [06/22](https://nlihc.org/resource/landmark-scotus-ruling-weakens-administration-attempts-allow-discrimination-against-lgbtq)). The order reinforces laws that prohibit sex discrimination, including the Fair Housing Act, which prohibits discrimination on the basis of gender identity or sexual orientation.

HUD also announced on February 11 that it will enforce the Fair Housing Act to prohibit discrimination on the basis of sexual orientation and gender identity. The memorandum will begin implementation of the policy set in forth in [President Biden’s Executive Order 138988 on Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation](http://bit.ly/3p5Ogvq) (see *Memo*, [01/25](http://bit.ly/2MPk2zU)). HUD was the first agency to release directives in implementing the President’s day-one Executive Order.

Read the H.R.5 - Equality Act at: <http://bit.ly/3st2p7W>

Read Congressman Cicilline’s press release announcing the introduction of the Equality Act at: <http://bit.ly/3uA7htN>

Read President Biden’s statement on the introduction of the Equality Act in Congress at: <http://bit.ly/3smwZ2Y>

Read the Executive Order on Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation at: <http://bit.ly/3p5Ogvq>

# HUD

## NLIHC Urges HUD to Pause MTW Implementation, Issues Summary of Final MTW Operations Notice

NLIHC sent a [memorandum](https://nlihc.org/sites/default/files/NLIHC_Memo_re_MTW.pdf) urging HUD to pause implementation of the Moving to Work (MTW) Demonstration expansion and consider NLIHC concerns with the final MTW Operations Notice. Separately, NLIHC has prepared a summary of the final Operations Notice, including all of the MTW Waivers in Appendix I of the notice.

The final Operations Notice was published on August 28, 2020 (see [*Memo*](https://nlihc.org/resource/hud-pih-publishes-moving-work-mtw-expansion-operations-notice), 8/31/20). NLIHC’s memorandum, sent on February 23, urges HUD to make changes based on NLIHC’s concerns that a number of the MTW regulatory waivers in the notice will harm residents. Several of the MTW Waivers, whether assigned to a specific evaluation cohort or to any MTW expansion public housing agency (PHA), can harm residents, leading to housing instability. In particular, waivers that allow MTW PHAs to increase rent burdens, impose work requirements, and limit the number of years a household can be assisted, can result in termination of assistance, eviction, and potentially homelessness. The memorandum summarizes 14 concerns and recommends corrections, followed by detailed descriptions of each. In addition to sending the memorandum to HUD officials, it was also sent to officials at the White House Domestic Policy Council (DPC) and the Office of Management and Budget (OMB). The National Housing Law Project also sent a [memorandum](https://www.nhlp.org/wp-content/uploads/Ltr-HUD-Pause-MTW.pdf) to HUD, DPC, and OMB.

NLIHC has prepared two versions of a summary of the final Operations Notice. One version [starts with the five sets of MTW Waivers most harmful to residents](https://nlihc.org/sites/default/files/Summary_of_MtW_Waivers_Starting_w_5_Most_Harmful_Waivers.pdf), while another version follows the [order of MTW Waivers as presented in Appendix I](https://nlihc.org/sites/default/files/Summary_of_MTW_Waivers_Following_Appendix_1_Order.pdf) of the Operations Notice. Each summary provides background of the MTW expansion, the three MTW statutory goals, and five MTW statutory requirements. The summaries are followed by a short overview of the Operations Notice touching on its key features and a summary of NLIHC’s concerns about four categories of waivers. A detailed presentation of key provisions highlights problems with the final Operations Notice’s compliance with the five statutory requirements, guidance regarding creating impact analyses, inadequate resident involvement in designing impact analyses, and inadequate guidance about hardship policies and informing residents about proposed hardship policies.

NLIHC’s memorandum is at: <https://bit.ly/3dSIVG1>

NHLP’s memorandum is at: <https://bit.ly/3ksT0e0>

NLIHC’s summary of the final Operations Notice starting with the five sets of waivers most harmful to residents is at: <https://bit.ly/3aSFlJL>

NLIHC’s summary of the final Operations Notice following Appendix I order is at: <https://bit.ly/2Mo6Mlk>

More about MTW is on [page 4-57](https://nlihc.org/sites/default/files/AG-2020/4-11_Moving-to-Work-Demonstration-_-Expansion.pdf) of NLIHC’s *2020 Advocates’ Guide*.

# DHS

## Supreme Court to Review Trump Administration’s Public Charge Rule

The Supreme Court agreed on February 22 to hear an appeal of the recent Public Charge Rule preliminary injunction, evaluating the legality of the harmful rule (see *Memo* [08/19/2019](https://nlihc.org/resource/final-public-charge-rule-published-impacting-immigrants-use-public-housing-vouchers-and)*)*. The Court [agreed to hear](https://www.supremecourt.gov/orders/courtorders/022221zor_2cp3.pdf#page=4) an appeal filed by the previous administration after the U.S. District Court for the Southern District of New York ruled in favor of the plaintiffs in[DHS, et al. v. State of New York, et al](https://www.aila.org/advo-media/issues/all/public-charge-changes-at-uscis-doj-and-dos) and granted temporary injunctions against the Department of Homeland Security (DHS) and Department of State (DOS) Public Charge Rules (see *Memo*, [08/03/2020](https://nlihc.org/resource/district-court-issues-two-temporary-injunctions-against-public-charge-rule)). The hearing will likely not occur until the end of 2021.

The implementation of the Public Charge Rule resumed on January 22 after the U.S. Court of Appeals for the Ninth Circuit granted DHS a delay of the preliminary injunction order made on December 2 (see *Memo,* [12/07/2020](https://nlihc.org/resource/appeals-court-halts-dhs-public-charge-rule-judicial-districts-and-states-represented-case)). President Joe Biden signed on February 2 an Executive Order “[Restoring Faith in Our Legal Immigration Systems and Strengthening Integration and Inclusion Efforts for New Americans](http://bit.ly/3rkGdfW),” directing agencies to develop strategies that promote integration, inclusion, and citizenship including (see *Memo*, [02/08](https://nlihc.org/resource/president-biden-signs-executive-orders-immigration-reform-including-public-charge))

The Departments of State, Justice, and Homeland Security are ordered to submit a report to the president within 60 days of the order, 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. There have been no recent updates from the administration or the agencies on whether they will issue a Notice of Proposed Rulemaking to begin rescinding the rule.

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.](https://www.uscis.gov/green-card/green-card-processes-and-procedures/public-charge) Readers are encouraged to read the updated fact sheet “[Public Charge: What Advocates Need to Know Now](https://docs.google.com/document/d/1fbPuxkyf3oV5Zphor_uEyFunG_MOVjQ2vfuxzSWX13Q/edit)” for more information and key messages to share.

The preliminary injunction on the DOS Public Charge Rule remains in effect nationwide (see *Memo,*[08/03](https://nlihc.org/resource/district-court-issues-two-temporary-injunctions-against-public-charge-rule)).

NLIHC will continue to inform readers of updates to the Public Charge Rule and the legal cases challenging the rule.

Read the “Executive Order on Restoring Faith in Our Legal Immigration Systems and Strengthening Integration and Inclusion Efforts for New Americans” at: <http://bit.ly/3rkGdfW>

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

For a “Current State of Play” and more information on legal cases on the Public Charge Rule visit the American Immigration Lawyers Association website at: <https://bit.ly/3knhJjK>

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

## NLIHC and National League of Cities to Host Webinar on FEMA Reimbursements and Non-Congregate Sheltering

The NLIHC-led Disaster Housing Recovery Coalition (DHRC) and the National League of Cities (NLC) will hold a webinar discussing the use of FEMA reimbursements to house individuals experiencing homelessness and residents of congregate care facilities in non-congregate shelters such as hotel rooms. The webinar will be held on Tuesday, March 16 at 1:30 pm ET. Register for the free webinar [here](https://bit.ly/2O2sEmP).

Since the start of the coronavirus pandemic, homelessness and housing advocates have pushed for the use of FEMA-reimbursed government funds to safely shelter unhoused individuals and residents of congregate living facilities in hotel rooms and other non-congregate shelter. Unhoused individuals and individuals with disabilities are at unique risk from the virus and many reside in facilities that make stopping infection difficult. With the recent [news](https://nlihc.org/resource/confirmed-fema-change-100-reimbursement-non-congregate-shelter-applies-retroactively) that FEMA will be increasing the percentage of reimbursements it provides, advocates around the country are working to further non-congregate sheltering programs The webinar will focus on this life saving program, including how the program has operated, opportunities for further expansion, and how the program can interface with permanent housing solutions as the pandemic subsides.

Webinar presenters will be Ann Oliva, visiting fellow at the Center on Budget and Policy Priorities, Joy Moses, director of the Homeless Research Institute at the National Alliance to End Homelessness, Germán Parodi and Shaylin Sluzalis, co-executive directors of the Partnership for Inclusive Disaster Strategies, and Andreanecia Morris, executive director of Housing NOLA.

You can register for the free webinar here: <https://bit.ly/2O2sEmP>

## Make a Contribution to Honor the Housing Justice Network and other NLIHC 2021 Housing Leadership Award Recipients

Make a [contribution to NLIHC](https://bit.ly/2Kd9oRZ) in honor of 2021 Housing Leadership Award Honoree the **Housing Justice Network (HJN)** of the National Housing Law Project. HJN 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. Donate to NLIHC in the Housing Justice Network’s honor as an [individual](https://bit.ly/2Kd9oRZ) or as an [organization](https://bit.ly/2LpBbzv). Register to attend the Virtual Housing Leadership Awards Celebration on April 28, 4-5 pm ET, free to the public, at: <https://bit.ly/3quNxWb>



The other honorees in 2021 are **Senator Sherrod Brown** (D-OH), chair of the Senate Banking, Housing, and Urban Affairs Committee, who will be bestowed an Edward Brooke W. Housing Leader Award; **Representative Maxine Waters** (D-CA), chair of the House Financial Services Committee, who will also receive a Brooke Award; and **Joy Johnson**, long-time resident leader of the Charlottesville Public Housing Association of Residents (PHAR) and former NLIHC board member, who will receive the Cushing Dolbeare Lifetime Service Award.

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

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

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

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.

Register to attend the April 28 Housing Leadership Awards Celebration at: <https://bit.ly/3quNxWb>

## “Sharing Stories of Lived-Experience to Bring About Change” 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 presentation guiding attendees through the process of crafting impactful personal stories for sharing in advocacy settings, such as when communicating with elected officials and other decision makers. This expert-led conversation with Pamela Covington and Kali Daugherty from RESULTS will cover such topics as how to select a relevant story topic, develop a story, effectively deliver it, and incorporate a call to action. Register today to attend the Forum for this and other compelling sessions at: <http://bit.ly/NLIHCForum21>



There will also be special presentations from key leaders in Congress, including **Rep. Maxine Waters (D-CA)**, **Senator Rob Portman (R-OH)**, **Senator Ron Wyden (D-OR)**, **Senator Brian Schatz (D-HI)**, **Senator Chris Van Hollen (D-MD)**, **and Rep. Joyce Beaty (D-OH)**, as well as keynote speakers and panels on Best Practices in Organizing; Legislative Opportunities to Advance Housing In 2021/Capitol Hill Insiders Panel; State and Local Emergency Rental Assistance Programs; Achieving Universal Housing Assistance; Lessons Learned: COVID-19 and the Need for Structural Reform; and more.

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

## Upcoming NLIHC Webinars: Advocacy 101 and NLIHC Policy Priorities

NLIHC’s annual Capitol Hill Day will take place virtually this year on April 1. In preparation, NLIHC will host two webinars in March to equip Capitol Hill Day participants and other advocates with effective advocacy skills and NLIHC’s policy priorities. NLIHC’s Capitol Hill Day is part of [NLIHC’s 2021 Virtual Housing Policy Forum: A New Day](https://www.nlihcforum.org/), March 30-31.

The first webinar on March 11 at 3 pm ET will provide an introduction to effective advocacy. The NLIHC field team will cover the federal policymaking basics, tips for effective advocacy, and special considerations for advocacy in a virtual environment. The session will also include a practice legislative visit. The webinar is an excellent training opportunity for those new to advocacy. Register for the March 11 webinar at: <https://bit.ly/3tLGgTP>

The second webinar on March 25 at 3 pm ET will provide an overview of NLIHC’s policy priorities and talking points. The NLIHC policy team will cover the key legislative requests and the field team will provide a discussion about resources and talking points advocates can use during their legislative visits. Sign up for the March 25 webinar at: <https://bit.ly/3rGPsHk>

Register for NLIHC’s 2021 Virtual Housing Policy Forum: A New Day, March 30-31, at: <https://www.nlihcforum.org/>

## *Tenant Talk Live!* Surveillance in Rental Housing

[Join](https://us02web.zoom.us/webinar/register/WN_1oTKfLJ8TfCYllBibtAOHA) resident leaders and NLIHC staff for the next *Tenant Talk Live!* webinar. Representatives from the Atlantic Plaza Towers Tenant Association, Fabian Rogers and Tranae Moran, will join us to discuss how they won a judgment against their landlord’s use of facial recognition cameras on the property. This *Tenant Talk Live!* will take place today at 6 pm ET (5 pm CT, 4 pm MT, 3 pm PT). Register at: [https://bit.ly/3dNekGP](https://us02web.zoom.us/webinar/register/WN_1oTKfLJ8TfCYllBibtAOHA)

The most recent episode of *Tenant Talk Live!* included Lisa Lake from the Federal Trade Commission, who discussed ways to avoid financial assistance scams. Watch the recording at: <https://bit.ly/36VnlfB>.

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

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

**Register for *Tenant Talk Live!* at**: [https://bit.ly/3dNekGP](https://us02web.zoom.us/webinar/register/WN_1oTKfLJ8TfCYllBibtAOHA)

# Opportunity Starts at Home

## CVS Health Invests $114 Million in Affordable Housing

CVS Health [announced](https://cvshealth.com/news-and-insights/press-releases/cvs-health-invests-114-million-in-affordable-housing-across-the) this week that it invested $114 million in affordable housing over the past year, leading to 2,800 affordable housing units built or rehabilitated in 30 cities across 12 states. The investment stems from the company’s [Destination Health](https://cvshealth.com/news-and-insights/press-releases/cvs-health-announces-destination-health-a-new-platform-addressing) plan to create programs that address the social determinants of health. This initiative offers yet another example of the growing awareness within the healthcare sector that housing stability is foundational to good health. Other insurers such as Anthem, Centene, Cigna, Humana and UnitedHealth Group, are also moving to prioritize housing.

“We recognize that equitable access to stable and supportive housing serves as one of the greatest barriers to better health for many people,” said CVS President and CEO Karen Lynch. “Through our investments and collaboration with local partners, we’ve been able to provide underserved communities across the country with quality housing, economic support, and educational training opportunities based on the unique needs of the population.”

Read more [here](https://www.forbes.com/sites/brucejapsen/2021/02/23/cvs-housing-investments-reach-114-million-as-insurers-address-social-determinants/?sh=1b7cc2144d00).

Follow the *Opportunity Starts at Home* multi-sector affordable homes campaign on social media: [Twitter](https://twitter.com/oppstartsathome), [Instagram](https://www.instagram.com/oppstartsathome/), [Facebook](https://www.facebook.com/oppstartsathome/), and [LinkedIn](https://www.linkedin.com/company/oppstartsathome/)*.* Be sure to [sign up](https://www.opportunityhome.org/take-action/lets-stand-together/) for our e-newsletter to get the latest updates about the campaign, including new multi-sector partners, [calls to action](https://www.opportunityhome.org/take-action/), events, and [research](https://www.opportunityhome.org/related-sectors/).

# Resources

## Now Available! Tenant Talk - The Enduring Crisis: Fighting for Racial and Housing Justice

NLIHC has released the Winter 2021 edition of [*Tenant Talk*](https://tinyurl.com/r8k2mr9w), a publication dedicated to low-income tenants and their allies. The newest edition primarily focuses on the intersection of racial and housing justice.

[Diagram

Description automatically generated](https://tinyurl.com/r8k2mr9w)

The past year has revealed what housing advocates have long known: housing justice is intrinsically linked with racial justice. The COVID-19 pandemic exacerbated an already existing housing crisis, and Black, Native American, and Latino people have been disproportionately impacted, just as they have also been inordinately harmed by the virus itself. Due to historical and continuing racism and discriminatory policies, Black and Native Americans are far more likely to experience homelessness than whites, and Latino and Black people – and especially Black mothers - have faced evictions more than other demographics during the pandemic.

Readers will learn how NLIHC is advancing racial equity and housing justice in our work, how the process of gentrification interacts with over-policing, how the racial makeup of suburbs and cities is changing, and how advocates successfully thwarted Trump administration policies harmful to communities of color.

As always, *Tenant Talk* includes spotlights on victories achieved by tenant leaders and other advocates. A person who was formerly incarcerated and is currently experiencing homelessness shares his insightful perspectives on how residents can engage on addressing housing insecurity. Readers will also learn about a key policy victory in Los Angeles to divert police resources to other programs, including affordable housing.

*Tenant Talk* is available online at: [https://tinyurl.com/r8k2mr9w](https://nam04.safelinks.protection.outlook.com/?url=https%3A%2F%2Ftinyurl.com%2Fr8k2mr9w%3Futm_source%3DNLIHC%2BAll%2BSubscribers%26utm_campaign%3Def43d3733e-EMAIL_CAMPAIGN_2021_02_24_07_49%26utm_medium%3Demail%26utm_term%3D0_e090383b5e-ef43d3733e-&data=04%7C01%7Cpkealey%40nlihc.org%7C8d61c4c3df224fdd765408d8d8ff7533%7Cd9ab7747cd104372b0b3229c61592adf%7C0%7C1%7C637497938990016862%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C1000&sdata=UEwDvprLX1KSuQMfGPQ%2F2lSdhYTdqthBR2pDooauVkc%3D&reserved=0). If you would like to receive a print version for free through the mail, please fill out [this quick and easy form](https://nlihc.wufoo.com/forms/z172cq1w0jo1lch/) to let us know how many copies you would like to receive. Please share the form with others who might be interested.

Join the next *Tenant Talk Live* call/webinar with and for tenants today, March 1, 6-7 pm ET at: <https://bit.ly/3kk3e05>

## Report on How Strengthened State Protections Can Prevent Utility Disconnections for Those with Serious Illness

A recent report from the National Consumer Law Center (NCLC), “[Protecting Seriously Ill Consumers from Utility Disconnections: What States Can Do to Save Lives Now](https://www.nclc.org/issues/energy-utilities-a-communications/protecting-seriously-ill-consumers-from-utility-disconnections.html),” offers guidance on how states can prevent utility shutoffs among seriously ill individuals. The report reviews serious illness protection statutes in all 50 states and finds that while most states have some kind of enforceable protection, many of the rules are overly restrictive and not widely known about. The report offers several key recommendations to strengthen state statutes. These include broadening eligibility criteria and expanding protection periods to last at least 30 days. State statutes should also require utility companies to notify customers regularly about these protections and conduct affirmative outreach to identify eligible households.

This report illustrates the importance of utility disconnection protections for those with serious illness, highlighting examples of seriously ill individuals who died as a result of their utilities being shut off. Electricity or natural gas shutoffs can put elderly and seriously ill individuals at risk when temperatures are extremely hot or cold. Further, many individuals rely on these utilities to refrigerate medicine, connect to oxygen, or use electric wheelchairs.

The report highlights where disconnection policies are seriously lacking, but it also points to positive examples that could be adopted more widely. Alabama, Alaska, Louisiana, and North Carolina, for example, have no enforceable protections to prevent disconnections for seriously ill customers. Other states, however, have enforceable and comprehensive serious illness protections. Idaho, Maryland, and Pennsylvania, for example, have broad eligibility criteria, allowing more individuals to benefit from these protections. Connecticut has strong requirements to notify customers about these protections; all disconnection notices include information about the protections and utility companies send reminders annually.

Policymakers can use this report to identify best practices, including existing samples, to strengthen protections in their state.

The report is at: <https://bit.ly/3aT58Sn>

# Research

## Study: Low-Income and Latino Households Face Disaster Recovery Challenges

A recent paper published by the Natural Hazards Center at the University of Colorado, Boulder, “[Damage, Dislocation, and Displacement After Low-Attention Disasters](https://hazards.colorado.edu/quick-response-report/damage-dislocation-and-displacement-after-low-attention-disasters),” documents a case study of disaster impact and recovery following a tornado in Marshalltown, Iowa. The authors found that concentrated storm damage in low-income neighborhoods, lack of insurance, and limited federal recovery resources created a variety of recovery challenges, particularly for low-income and Latino households.

A large tornado hit Marshalltown, Iowa, on July 19, 2018, causing major damage across the city. Despite the damage levels, the disaster did not receive much attention and the president initially declined to declare the storm a federally declared disaster. This prevented residents from receiving FEMA’s individual assistance funding, leaving few available resources for recovery and repairs. Marshalltown provides a case study on recovery challenges that households face after low-attention disasters without federal funding.

The authors began their research soon after the tornado hit, allowing them to collect timely data on damage incurred, initial repairs, and recovery resources. To assess damage and initial recovery efforts, they implemented two surveys among selected households in affected census blocks. The first questionnaire asked about property damage, physical characteristics of residential structures, and preliminary recovery efforts. The second survey was conducted to quantify disruption among families, including disruption to school/work, utility cut-offs, displacement, and precarious living situations.

The initial survey identified several patterns of tornado damage, including high rates of damage among low-income and Latino households. Out of all households that experienced some sort of damage, 37% had an annual income below $30,000. Only 33.3% of Latino households experienced no damage, compared to 50.4% of white households. A higher share of Latino households also experienced major damage, at 11.8% compared to 4.4% for white households.

Since Marshalltown residents were not eligible to receive individual assistance from FEMA, insurance was the primary recovery resource available following the disaster. Insurance coverage differed across racial and ethnic lines, income, and housing tenure. Approximately 37% of Latino households did not have insurance – nearly 16 percentage points higher than white households. Nearly 31% of those making less than $30,000 annually did not have insurance, compared to 21.6% of households making more than $30,000 annually. Renters were also less likely to be insured compared to homeowners. Eighty percent of homeowners knew they had insurance, compared to only 27.9% of renters. This disparity is exacerbated by the lack of control that renters have over repairs following a disaster. Though this study did not examine long-term recovery outcomes, renters’ lack of control over repairs could lead to increased recovery times or to displacement.

The researchers found that the lack of federal individual assistance and the urgency to address repairs before winter led many households to make repairs on their own or seek alternative housing options altogether. Population loss due to displacement and deferred repair or demolition following a low-attention disaster can have long-term adverse impacts on affected towns and their residents. This research highlights the need to further examine weak points in disaster recovery, and the need to identify policy solutions that mitigate these challenges.

The report can be found at: <https://bit.ly/2MnFhZi>

## **Evictions Associated with Depression, Higher Stress, and Worse Health**

An article in *Social Science & Medicine,* “[The health impacts of eviction: Evidence from the national longitudinal study of adolescent to adult health,”](https://repository.upenn.edu/psc_publications/64/) finds robust evidence of an association between evictions and a greater likelihood of depression among young adults. Increased levels of stress among those who had experienced eviction explained nearly 20% of this effect, indicating that eviction can be a significant stressor in early adulthood. Likewise, individuals who experienced an eviction had worse self-rated health than those without an eviction.

The authors analyze nationally representative data from the *National Longitudinal Study of Adolescent to Adult Health*. This study collected data at four time points between 1994 and 2008 from individuals who were adolescents in grades 7 through 12 in 1994-1995. The survey asked respondents about their health status and in later stages asked whether they experienced an eviction in the past 12 months. The researchers assessed the effect of eviction during the third and fourth survey period on two measures of health for 5,934 participants. The first measure tracked whether respondents had a number of depressive symptoms (e.g., being bothered, too tired to enjoy things, unable to shake the blues, feeling not as good as others, or not enjoying life). The second measure was self-reported health—whether respondents thought their own health was excellent, very good, good, fair, or poor.

Overall, roughly 1.6% of young adults in the survey reported experiencing eviction. Compared to those who did not report eviction, they had higher levels of depressive symptoms and worse self-rated health. There were racial and economic disparities in who experienced eviction. While Black young people accounted for 12% of the full sample, they accounted for 23% of the people experiencing eviction. Young adults with lower socioeconomic status were more likely to report eviction.

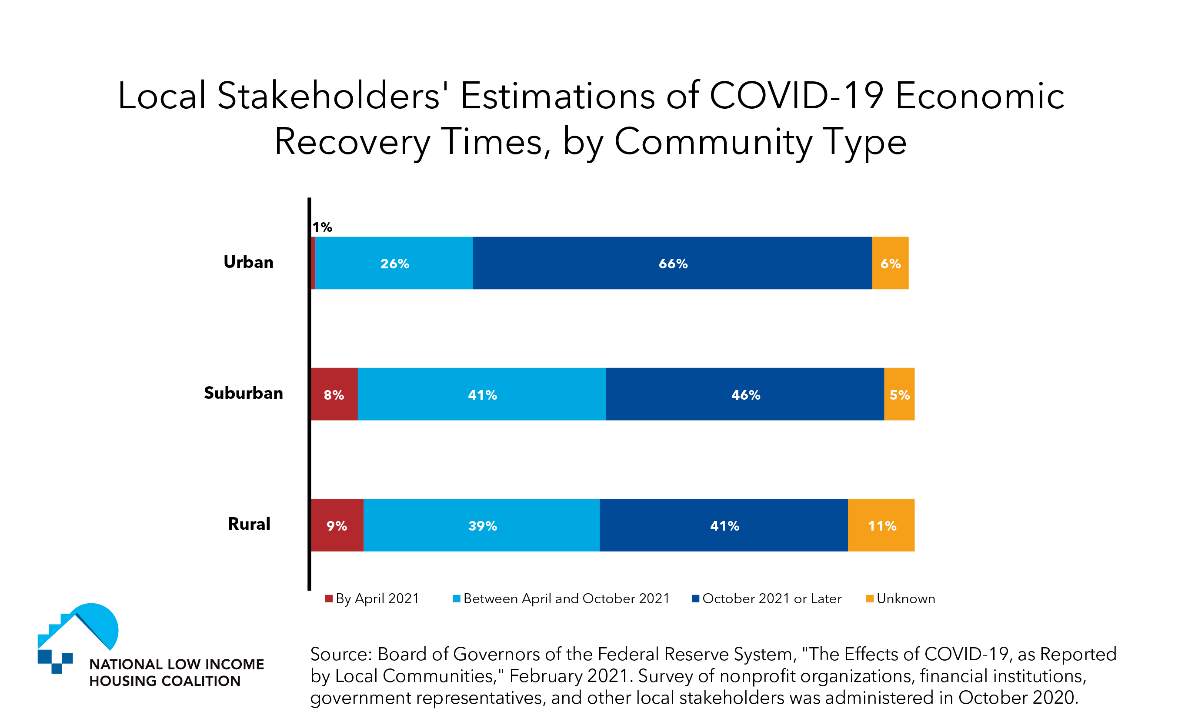
In order to isolate the relationship between eviction and health, since factors that make eviction more likely can also be detrimental to health, the authors constructed several models that control for gender, race and ethnicity, family socioeconomic status, and neighborhood socioeconomic conditions. Taking these factors into account, they still found a strong association between eviction and depressive symptoms. A complementary analysis found that those who had experienced eviction were likely to have a greater number of depressive symptoms than those who had experienced eviction. There was also a strong positive association between having been evicted and poor or fair self-rated health.

Their analysis found that stress mediates the association between eviction and depressive symptoms: higher stress caused by eviction itself increases depressive risk and poor mental health. To assess levels of perceived social stress, respondents were asked whether they felt in control, capable of handling personal problems, or able to overcome accumulating difficulties. Approximately 17.5% of the total effect of eviction history on depressive symptoms operated indirectly through perceived stress. The authors note that a larger literature shows the serious long-term health risks of high stress, which might indicate further harms of eviction beyond what can be measured in this survey.

See [*Memo,* 10/26/2020](https://nlihc.org/resource/new-evidence-shows-evictions-have-lasting-negative-health-outcomes), for another study that uses data from the *National Longitudinal Study of Adolescent to Adult Health*.

# Fact of the Week

## Stakeholders in Urban Communities Anticipate a Slow COVID-19 Recovery



Source: Board of Governors of the Federal Reserve System, “The Effects of COVID-19, as Reported by Local Communities,” February 2021.

# From the Field

## Santa Monica Considers Right-to-Return Ordinance for Communities Displaced by Highway Expansion in 1950s and 1960s

Based on recommendations from Santa Monica’s Right-to-Return working group, the Santa Monica Housing Commission voted 4-3 to give prioritization to “Right-to-Return” applicants for their Below Market Housing Program. This Right-to-Return criteria would prioritize residents with documented proof that they, their parents, legal guardians, or grandparents were displaced from the Belmar or the 10 Freeway-Pico Corridor areas in the 1950s and 1960s.

The Right-to-Return working group—which includes staff from City’s Rent Control Department, City Manager’s Office, and Community and Cultural Services Department—developed this displacement policy as a part of its work with the Government Alliance on Race and Equity (GARE). The City’s GARE team identified displacement as an equity issue for Santa Monica in early 2018 after considering historical events which had a disproportionate impact on residents of color. GARE established a goal to develop and implement a policy to account for this displacement by 2023.

The Right-to-Return working group also coordinated with the Housing and Economic Development Department. This team conducted research around the historical displacement that occurred in Santa Monica, quantified the impact, and developed an estimate of the pool of individuals who would have a claim to displacement. They also conducted an environmental scan of best practices regarding displacement amelioration in other U.S. cities and outlined the necessary steps for implementation.

Currently, the [Below Market Housing](https://www.santamonica.gov/housing-BMH) program provides apartments in the private sector at a rent that is lower than the normally exorbitant rent rates in Santa Monica. To be eligible, individuals must meet income requirements, as the program is meant to meet the needs of the workforce along with lower-income people. After considering income eligibility, applicants are grouped into three prioritization groups:

* First priority: Santa Monica households who have been or will be displaced from their homes within 12 months due to a natural disaster, a government ordered eviction, demolition of the building, owner/relative occupancy of your apartment, or eviction due to the Ellis Act or a Mobile Home closure.
* Second priority: all other households who either live in Santa Monica or work at least 25 hours per week in Santa Monica, including those participating in job training or those who are retired.
* Third priority: by date and time that the application is submitted.

The Right-to-Return ordinance would place eligible applicants in the first priority group. The City Council is expected to consider this ordinance at the end of the month.

# NLIHC News

## NLIHC Seeks Development Specialist

NLIHC seeks a development specialist who will support NLIHC fund development activities and events that enable the Coalition to obtain the necessary resources to fulfill its mission of achieving socially just public policy to ensure the lowest-income people in America have decent, accessible, affordable homes. The individual will also support NLIHC with other key operational needs, reporting to the NLIHC chief operating officer, with guidance and oversight from the NLIHC development coordinator.

**Responsibilities:**

* Assist in developing, and mailing to, lists to potential sponsors of the NLIHC Housing Leadership Awards Celebration/Reception (LAC), tracking progress on incoming pledges, and following up with sponsors and potential sponsors and with NLIHC host committee members.
* Assist with moving and maintaining sponsor and prospective sponsor data in Salesforce.
* Collect supplemental LAC program materials (quotes on honorees, bios, photos, etc.)
* Coordinate uploading of new lists from allied organizations into Salesforce/Mailchimp when they are provided.
* Coordinate end-of-year appeals campaign – draft appeals, postcards, emails, e-newsletters articles; work with communications team on materials and social media; create outreach lists; mail out solicitations; and other related tasks.
* Handle efficient filing of copies of donor/sponsor letters.
* Monitor NLIHC Special Member dues, send invoices, and follow up regarding payments. Track progress on NLIHC Special Member benefits (ads needed for LAC, publications to be mailed, etc.)
* Monitor incoming data to Salesforce for any irregularities.
* Enter registrations for complimentary Forum attendees where necessary (manually entering Special Members, event sponsors, *Advocates’ Guide* authors, any VIP/invitees of the CEO, etc.)
* Produce list of previous year donors and their giving levels for NLIHC *Annual Report*.
* Serve as back-up to executive assistant for production of acknowledgment letters.
* Monitor NLIHC’s various webpages that recognize donors for any missing logos and ensure updates are made to keep the website current.
* Assist in the preparation of grant applications and proposals for review by the NLIHC president/CEO and chief operating officer (COO), working with program staff and COO to determine proposal elements, and submitting final proposals for consideration. Assist in compiling and drafting funder reports for review and finalization by the COO.
* Assist in ensuring all grant contact and follow-up information is up-to-date and accurate in Salesforce database.
* Assist in the coordination of other events and activities for which fundraising is involved like NLIHC’s anniversary events.

**Organizational/Operations Support**

1. Support COO with operations activities.
2. Coordinate with contracted agency (currently Cogency Global) on state charitable registrations, ensuring annual registrations for all states in which registrations are required. Also ensure successful NLIHC business licenses and Good Standing reports with DC government.
3. Attend all meetings of the NLIHC Board of Directors and before Board committees, as needed. Participate in staff meetings, retreats, trainings, and all Coalition events.
4. Other duties as assigned.

**Qualifications:** To receive serious consideration for this position, an applicant should have the following attributes and background:

* A bachelor’s degree.
* A strong commitment to the alleviation of poverty and social justice (affordable housing knowledge/experience a plus).
* Demonstrated strong organizational skills and attention to detail.
* Excellent communications skills, both orally and in writing.
* Experience successfully building and maintaining professional partnerships and relationships.
* Experience in funder/donor research and cultivation, proposal- and report-writing, and fundraising appeals desired. Experience in event coordination a plus.
* Experience using Salesforce CRM a plus.
* An ability to work in a diverse, fast-paced environment.

**Compensation and Benefits:** An equal opportunity, affirmative action employer, NLIHC offers a competitive salary and benefits package. This is a full-time position located in Washington, DC, though candidates residing outside the DC area may be considered and full-time telework is being implemented during the pandemic.

**Job Application Process:** Send a cover letter, resume, and two writing samples to: Bairy Diakite, Operations Manager, NLIHC, 1000 Vermont Avenue, N.W., Suite 500, Washington, D.C. 20005 or by email at [bdiakite@nlihc.org](mailto:bdiakite@nlihc.org). The cover letter should describe the candidate’s interest in and relevant experiences for the position and include salary requirements and the names and contact information for at least three people serving as candidate references (NLIHC will not contact references before consulting with the candidate).

# NLIHC in the News

## NLIHC in the News for the Week of February 21

The following are someof the news stories that NLIHC contributed to during the week of February 21:

* “Ruling overturning CDC eviction moratorium injects confusion into housing market,” *Washington Post*, February 26 at: <https://wapo.st/3uCTuCW>
* “Texas judge rules federal eviction moratorium unconstitutional. Lawyers and advocates disagree on what that means for tenants,” *Texas Tribune*, February 26 at: <http://bit.ly/3qYovyN>
* “Federal judge blocks CDC’s national eviction moratorium, but advocates say renters are still protected,” *MarketWatch,* February 26 at: <http://on.mktw.net/3kqBpTQ>
* “JP Morgan reveals the latest part of its $30 billion commitment to support Black and brown communities,” *Business Insider*, February 25 at: <http://bit.ly/300Icdn>
* “Evictions, foreclosures ban back-play bills coming due for renters, homeowners,” *Washington Times*, February 21 at: <http://bit.ly/37OZFdq>

[**NLIHC Staff**](https://nlihc.org/about/staff)

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Xavier Arriaga, Policy Analyst, x231

Andrew Aurand, Vice President for Research, x245

Victoria Bourret, Senior Organizer for Housing Advocacy, x244

Jen Butler, Director, Media Relations and Communications, x239

Alayna Calabro, Policy Analyst–COVID-19 Response, x252

Josephine Clarke, Senior Executive Assistant, x226

Bairy Diakite, Operations Manager, x254

Emma Foley, Research Intern, x249

Dan Emmanuel, Senior Research Analyst, x316

Ed Gramlich, Senior Advisor, x314

Kim Johnson, Housing Policy Analyst, x243

Jameil Johnson, Graphic Design/Communications intern

Paul Kealey, Chief Operating Officer, x232

Mike Koprowski, Director, Multisector Housing Campaign, x317

Joseph Lindstrom, Director, Field Organizing, x222

Mayerline Louis-Juste, Communications Specialist, x201

Sarah Saadian, Vice President, Public Policy, x228

Khara Norris, Senior Director of Administration, x242

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Ikra Rafi, Creative Services Specialist, x246

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Kevin Tan, Graphic Design/Communications intern

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Chantelle Wilkinson, Housing Campaign Manager, x230

Renee Willis, Vice President for Field and Communications, x247

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Diane Yentel, President and CEO, x225