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HoUsed Campaign for Universal, Stable, Affordable Housing

- Sign on to HoUsed Campaign Letter for Universal, Stable, Affordable Housing by April 14!
- 78 Members of Congress Send “Dear Colleague” Letter to Biden Administration in Support of the HoUsed Campaign’s Infrastructure Priorities
- Progressives in Congress Support HoUsed Campaign Infrastructure Priorities
- NLIHC to Testify at House Financial Services Committee Hearing on Investments in Housing and Financial Infrastructure on April 14
- Join NLIHC’s National Call on “HoUsed: Universal, Stable, and Affordable Housing” Today at 2:30 pm ET
- Recording Available of NLIHC’s April 5 National Call on “HoUsed: Universal, Stable, and Affordable Housing”

Federal Budget and Appropriations

- President Biden Proposes 15% Increase to HUD Budget for FY22
- Take Action: Sign on by April 16 to Letter Supporting Increased Federal Funding for Housing and Homelessness

Coronavirus, Disasters, Housing, and Homelessness

- HUD Announces Release of \$5 Billion in American Rescue Plan Funds to Address Homelessness
- HUD PIH Updates List of Eligible Uses for CARES Act HCV Administrative Fee Funds
- HUD’s PIH Posts Guidance on Using CARES Act Funds to Access Vaccinations
- HUD Posts Update to “Questions and Answers for Office of Multifamily Housing Stakeholders: Coronavirus Disease 2019 (COVID-19)”
- HUD Provides Additional Guidance on Using CDBG-CV for Rental Assistance
- Additional Coronavirus Updates – April 12, 2021
- Additional Disaster Housing Recovery Updates – April 12, 2021

HUD

- HUD Recap Office Announces Faircloth-to-RAD Option to Create New Deeply Affordable Units

Congress

- Senate Banking, Housing, and Urban Affairs Committee to Hold Hearing on Racial Discrimination in Housing

Opportunity Starts at Home

- New Research on the Impact of Redlining on Educational Outcomes

NLIHC Leadership Awards

- Honor Rep. Maxine Waters, Sen. Sherrod Brown, Joy Johnson, and the Housing Justice Network at NLIHC's 2021 Housing Leadership Awards Celebration on April 28

Research

- Annual Index Compares States on Youth Homelessness Response
- Research Brief Outlines Causes of Affordable Housing Shortages and How Federal Policies Can Help

Fact of the Week

- Overwhelming Majority of Severely Housing Cost-Burdened Renters Have Extremely Low Incomes

From the Field

- Berkeley Ends Exclusionary Zoning

NLIHC News

- NLIHC Seeks Project Director
- NLIHC Seeks Website and Graphic Design Specialist

NLIHC in the News

- NLIHC in the News for the Week of April 5

HoUsed Campaign for Universal, Stable, Affordable Housing

Sign on to HoUsed Campaign Letter for Universal, Stable, Affordable Housing by April 14!

With [congressional champions and national, state, and local partners](#), NLIHC launched the [HoUsed campaign](#) to advance anti-racist policies and [achieve the large-scale, sustained investments and reforms](#) necessary to ensure renters with the lowest incomes have an affordable and accessible place to call home. Your advocacy is needed! Please [sign your organization on to a national letter to urge Congress to support these investments!](#) The deadline to sign this letter has been extended to April 14.



Congress and the White House are now at work on the “American Jobs Plan,” the administration’s [\\$2.2 trillion infrastructure and recovery package](#) with a proposed \$213 billion in housing investments. This proposed legislation presents a tremendous opportunity to advance many of the HoUsed campaign’s bold housing solutions.

To ensure stable, affordable housing is universally available to those in need, Congress must include in any infrastructure and recovery bill these [priorities](#):

- An expansion of rental assistance to every eligible household.
- \$70 billion to repair public housing for current and future generations.
- At least \$40 billion annually for the national Housing Trust Fund to build and preserve homes affordable to people with the lowest incomes.

Background

The HoUsed campaign will advance four solutions to America’s housing crisis: [expanding rental assistance](#) to every eligible household; [increasing the supply of affordable housing](#) for people with the lowest incomes; providing emergency housing assistance to help [stabilize families in a crisis](#); and strengthening and enforcing [robust renter protections](#). [Learn more about the campaign here.](#)

Our first and best opportunity to advance some of these bold housing solutions is in the American Jobs Plan, an infrastructure and recovery proposal from President Biden to combat the climate crisis, advance racial equity, and “build back better.” To achieve these ambitious goals, Congress must address the urgent housing needs facing extremely low-income households, disproportionately Black, Indigenous and people of color (BIPOC), by including in any recovery package the HoUsed campaign’s [infrastructure priorities](#).

This infrastructure and recovery legislation is a once-in-a-generation opportunity to invest in proven affordable housing solutions – including rental assistance, public housing, and the national Housing Trust Fund – at the scale necessary.

Take action today!

Join us in telling Congress that any infrastructure and recovery package must include robust resources to ensure affordable and stable housing is universally available.

[Sign your organization on to a national letter](#) in support of the national HoUSed campaign and the bold solutions needed to end homelessness and housing poverty. The deadline to sign is April 14!

Thank you for your advocacy on the #HoUSed campaign!

78 Members of Congress Send “Dear Colleague” Letter to Biden Administration in Support of the HoUSed Campaign’s Infrastructure Priorities

Senator Jeff Merkley (D-OR) and Representative Ritchie Torres (D-NY) led 76 of their congressional colleagues in a [letter](#) on April 6 to President Biden calling on the administration to include the HoUSed campaign’s [top priorities](#) in the infrastructure package. The letter highlights the urgent need to include substantial affordable housing investments as part of the Build Back Better infrastructure package.

The members of Congress ask that the infrastructure package include, at a minimum, three key affordable housing investments in line with the HoUSed campaign’s priorities:

- Guarantee Housing Choice Vouchers for all eligible Americans and convert the funding status from annual appropriations to mandatory spending;
- \$70 billion to address the Public Housing repair backlog; and
- \$45 billion for the National Housing Trust Fund per year, of which \$26 billion should be reserved for permanent supportive housing for people experiencing homelessness.

The letter urges the Biden administration to consider these three principal recommendations as minimum housing investments to help ensure the Build Back Better infrastructure package delivers broad, equitable benefits to all Americans. “Without proportional affordable housing investments, there is no path for an equitable recovery and long-term financial stability for low- and middle-income American families,” write the members.

Read the “Dear Colleague” letter at: <https://bit.ly/2QczEPi>

Learn about the HoUSed campaign’s priorities for the American Jobs Plan Act at: <https://bit.ly/3dKdzzu>

Progressives in Congress Support HoUSed Campaign Infrastructure Priorities

The Congressional Progressive Caucus (CPC) published on April 9 its [top priorities](#) for the “American Jobs Plan,” which include the NLIHC-led [HoUSed campaign’s agenda](#) for bold investments in affordable housing in the legislative package.

The CPC calls for the American Jobs Plan to guarantee Housing Choice Vouchers for all eligible Americans, \$70 billion to address the public housing repair backlog, and \$45 billion for the National Housing Trust Fund per year, of which \$26 billion should be reserved for permanent supportive housing for people experiencing homelessness.

“We agree that it’s time for transformative change and we look forward to working with the Biden Administration to expand on their proposal and ensure that the American Jobs Plan goes big to truly meet the needs of the public,” Caucus Chair Pramila Jayapal (D-Wash.) said in a statement.

Other housing priorities identified by the CPC include eliminating the Faircloth amendment, which prohibits the expansion of public housing, providing energy-efficient and weatherization upgrades to public housing, and creating an acquisition fund to prevent distressed properties from being purchased by corporate investors.

Overall, the CPC listed investments in affordable housing as its top priority, after strengthening the “care economy” through paid family and medical leave, an expansion of Medicaid’s home and community-based services, and access to childcare.

See the list of CPC priorities for the American Jobs Plan at: <https://tinyurl.com/4953uy7x>

Check out the HoUSed campaign priorities for the American Jobs Plan at: <https://tinyurl.com/sdvw3rne>

NLIHC to Testify at House Financial Services Committee Hearing on Investments in Housing and Financial Infrastructure on April 14

NLIHC President and CEO Diane Yentel will testify at a House Financial Services Committee (HFSC) hearing, “Building Back Better: Examining the Need for Investments in America’s Housing and Financial Infrastructure,” on [April 14 at 10 am ET](#). Watch the broadcast live at: <https://financialservices.house.gov/live/>

Join NLIHC’s National Call on “HoUSed: Universal, Stable, and Affordable Housing” Today at 2:30 pm ET

Join today’s (April 12) national call from 2:30-4 pm ET on [HoUSed: Universal, Stable, and Affordable Housing](#). We will discuss how to advance our priorities in President Biden’s American Jobs Plan and the FY22 budget; a new ERA Prioritization Tool from the Urban Institute; a new report from Eviction Lab; and the latest on legal challenges to the CDC eviction moratorium. We will also hear updates from Capitol Hill, share organizing and advocacy strategies to advance of the HoUSed campaign, get updates from the field, and more.

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

See the full agenda [here](#).

Recording Available of NLIHC’s April 5 National Call on “HoUSed: Universal, Stable, and Affordable Housing”

During the most recent national call on HoUSed: Universal, Stable, and Affordable Housing, we received an update on the extension and enforcement of the CDC eviction moratorium, discussed the housing provisions in President Biden’s proposed “American Jobs Plan,” heard about a new study on tenant screening practices, received updates from the field and Capitol Hill, and learned about the organizing and advocacy plan to advance the HoUSed campaign.

Cara Petersen and Gabe O'Malley from the [Consumer Financial Protection Bureau](#) (CFPB) shared new resources to aid in the enforcement of the CDC eviction moratorium. The CFPB and Federal Trade Commission (FTC) will monitor and investigate eviction practices to ensure landlords and property owners are comply with federal, state, and local moratoriums. Tenants can report landlords who violate moratorium provisions on the [CFPB](#) or [FTC](#) website. Noelle Porter from the National Housing Law Project provided an update on the CDC moratorium extension through June 30, 2021.

NLIHC's Kim Johnson provided an update from Capitol Hill and on the Biden administration's "[American Jobs Plan](#)," President Biden's \$2 trillion infrastructure proposal that includes \$213 billion "to produce, preserve, and retrofit more than two million affordable and sustainable places to live." Tim Thompson from the [Housing Justice Center](#) shared the results of their study on tenant screening practices. We received field updates from the [New York Housing Conference](#), the [Supportive Housing Network of New York](#), and [Texas Housers](#). NLIHC's Joey Lindstrom shared strategies for advancing the [HoUSed campaign](#) with friendly legislators.

NLIHC hosts national calls every week. On today's call, we will discuss President Biden's budget blueprint, share insights from a new report from Eviction Lab, provide updates on legal challenges to the CDC eviction moratorium, and more. Register for tomorrow's call (Monday, April 12 at 2:30 pm ET) at: <https://tinyurl.com/ru73qan>

Watch a recording of the April 5 call at: tinyurl.com/akkrax26

Access presentation slides at: tinyurl.com/46myfdyp

Federal Budget and Appropriations

President Biden Proposes 15% Increase to HUD Budget for FY22

President Joe Biden released on April 9 a "[budget blueprint](#)" previewing his full fiscal year (FY) 2022 budget request, the details of which are expected to be released in the coming weeks. The President's blueprint proposes a \$9 billion increase – or 15% – to HUD's budget over FY21.

If enacted, the budget would provide substantial federal investments in affordable homes and increase the availability of housing assistance to families with the greatest need. The proposal calls for expanding rental assistance through the Housing Choice Voucher program to 200,000 additional households, focusing on those who are experiencing homelessness or fleeing domestic violence. The blueprint also proposes an increase in funding for Homeless Assistance Grants to \$3.5 billion, a \$500 million increase from FY21. The White House estimates this increase would provide assistance to an additional 100,000 people experiencing homelessness.

The budget proposes expanding tribal housing resources to \$900 million, increased funding to the HOME Investment Partnerships program to \$1.9 billion and investing \$180 million to support the construction of 2,000 new homes for seniors and people with disabilities. Funding for fair housing activities would also be increased to \$85 million, and HUD programs would receive \$800 million to rehabilitate public and affordable housing with energy-efficient upgrades. Additionally, the proposal allocates \$3.2 billion for public housing capital repairs and increases funding for the Community Development Block Grant program to \$3.8 billion, with funds targeted to historically underfunded and marginalized communities facing persistent poverty.

Once the president's full budget request is released, Congress will draft and vote on spending bills, a process expected to start as soon as late April or early May with the goal of enacting a final FY22 spending bill into law by October 1, when the new fiscal year starts.

Read NLIHC's analysis of the president's budget blueprint at: <https://tinyurl.com/y9rpe7vx>

View NLIHC's updated budget chart at: <https://tinyurl.com/cdkvy5b7>

Take Action: Sign on by April 16 to Letter Supporting Increased Federal Funding for Housing and Homelessness

NLIHC encourages all our member and partner organizations to [sign on to a letter](#) urging Congress to provide robust funding for HUD and U.S. Department of Agriculture (USDA) housing and community development programs for fiscal year 2022 (FY22). Sign on by April 16 at: tinyurl.com/4vq836e6

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

State and local governments and the communities they serve rely on federal resources to meet the infrastructure needs of their communities, including community development and affordable housing. Increased investments are more critical than ever 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 important 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 TODAY at: tinyurl.com/4vq836e6

Coronavirus, Disasters, Housing, and Homelessness

HUD Announces Release of \$5 Billion in American Rescue Plan Funds to Address Homelessness

HUD Secretary Marcia Fudge [announced](#) on April 8 the allocation of nearly \$5 billion in American Rescue Plan (ARP) funds to help communities across the country create affordable housing and services for people experiencing or at risk of homelessness.

The \$4.925 billion in HOME-ARP funds give states the flexibility to meet the needs of people experiencing or at risk of homelessness, including through development of affordable housing, tenant-based rental assistance, supportive services, and acquisition and development of non-congregate shelter units for permanent affordable housing. This is the first of two homelessness-related funding opportunities from the American Rescue Plan that HUD will release. In the coming weeks, HUD is expected to announce the release of \$5 billion for new Housing Choice Vouchers provided in the American Rescue Plan.

Read HUD's announcement at: <https://tinyurl.com/4rjtrjx2>

HUD PIH Updates List of Eligible Uses for CARES Act HCV Administrative Fee Funds

HUD's Office of Public and Indian Housing (PIH) posted an updated "[Revised List of Eligible Coronavirus-Related Activities](#)" on April 9. The document lists eligible uses that public housing agencies (PHAs) may carry out with the \$850 million Congress provided through the CARES Act for Housing Choice Voucher (HCV) Administrative Fees (see *Memo 5/4/20* and *8/10/20*). HUD stated in *Notice PIH 2020-08* it would update the list of eligible coronavirus-related activities not included in the list in the notice and not currently eligible as regular HCV administrative costs.

There is one new eligible use under the heading "New COVID-19 Eligible Expenses Not in PIH *Notice 2020-08* or PIH *Notice 2020-18*": costs to meet technological needs, including computers and tablets, lent to voucher households with school aged children being homeschooled as a result of the pandemic. The public housing authority, not the household, ultimately maintains possession of the devices.

A new category of eligible use is under the heading "Vaccination-related expenses – PHAs can use CARES Act Supplemental Fees (and Operating Public Housing funds) for: expenses already in the original list, transporting residents and staff to or from a site providing the vaccine, and overtime or bonus pay for PHA staff assisting with vaccination efforts.

A new category with the heading "Newly added Vaccination related costs" includes:

- Coordinating with health units to provide on-site vaccinations at a PHA or other mutually agreed upon site
- Covering costs to develop or distribute educational materials related to COVID-19 or the vaccine
- Hiring health service coordination staff, including resident community health workers, to assist residents locate and sign up for the vaccine and health insurance coverage
- Providing individual or shared computing devices, such as laptops or multifunction tablets with keyboards, to allow for online registration

(See related article in this *Memo*, "HUD's PIH Posts Guidance on Using CARES Act Funds to Access Vaccinations.")

"Revised List of Eligible Coronavirus-Related Activities" is at: <https://bit.ly/31XCj1Q>

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

HUD's PIH Posts Guidance on Using CARES Act Funds to Access Vaccinations

HUD's Office of Public and Indian Housing (PIH) posted [guidance](#) for public housing agencies (PHAs) to assist them in supporting access to vaccines for residents and staff. Working with state and local health departments, PHAs can:

- Support PHA staff to get vaccinated, especially those who have contact with residents
- Partner with health departments, health providers, and/or pharmacies
- Monitor state and local updates on vaccination priorities, locations, and ways to register
- Share local vaccination information with residents and keep residents updated
- Provide space for mobile or pop-up vaccination services or provide transportation for residents to vaccination locations

Guidance on use of CARES Act supplemental public housing and Housing Choice Voucher (HCV) Administrative fee funds for PHAs is provided in [PIH Notices 2020-07](#), [2020-08](#) and [2020-18](#) (see *Memo*, [5/4/20](#), [8/10/20](#)). In addition, newer eligible uses of HCV Administrative Fee funds under the CARES Act are [posted](#) (see “HUD PIH Updates List of Eligible Uses for CARES Act HCV Administrative Fee Funds” elsewhere in this *Memo*).

PHAs are encouraged to communicate directly and often with residents about vaccine eligibility, when known, and to include resident organizations in planning. PHAs can use CARES Act Supplemental Operating Public Housing funds or HCV Administrative Fees (as appropriate) for:

- Transporting residents and staff to or from a site providing the vaccine
- Coordinating with health units to provide on-site vaccinations at a PHA or other mutually agreed upon site
- Paying overtime or bonus pay for PHA staff assisting with vaccination efforts
- Covering costs to develop or distribute educational materials related to COVID-19 or the vaccine
- Hiring health service coordination staff, including resident community health workers, to assist residents locate and sign up for the vaccine and health insurance coverage
- Providing individual or shared computing devices, such as laptops or multifunction tablets with keyboards, to allow for online registration
- Setting aside units or non-dwelling space in the Inventory Management System-Public Information Center (IMS-PIC) system to allow for vaccine service

The U.S. Department of Homeland Security designated workers responsible for leasing residential properties, property management, maintenance, and related service calls, reception of deliveries, mail, and other services as “essential critical infrastructure workers.” Once the vaccine is widely available, PHAs may consider policies that require current vaccinations for workers who interact with residents. PHAs may also consider incentive compensation for staff to get vaccinated.

“Guidance for Public Housing Authorities (PHAs) on Supporting Access to COVID-19 Vaccinations for Residents and Staff” is at: <https://bit.ly/3s40pTb>

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

More information about housing choice vouchers is on [page 4-1](#) of NLIHC’s *2020 Advocates’ Guide*.

HUD Posts Update to “Questions and Answers for Office of Multifamily Housing Stakeholders: Coronavirus Disease 2019 (COVID-19)”

HUD’s Office of Multifamily Housing Programs (Multifamily), which oversees contracts with private owners of HUD-assisted properties, issued its tenth update to “[Questions and Answers for Office of Multifamily Housing Stakeholders: Coronavirus Disease 2019 \(COVID-19\)](#)” on April 2. The most recent previous update was on January 31 (see *Memo*, [1/19](#)). The latest version updates six questions and adds seven new questions. This article highlights two updated questions and four new questions most relevant to residents and advocates.

In the “General Multifamily Housing” section, under the “Resident Health” subsection, Q16 (page 8) is new. Multifamily has begun to facilitate delivery of the COVID-19 vaccine to HUD-assisted residents of senior properties with other federal agencies, local public health officials, health insurers, providers, community-based health organizations (such as Area Agencies on Aging, Centers for Independent Living, and Aging and

Disability Resource Centers) and other organizations that may be able to assist residents to access sites that are administering vaccines.

In the “CARES Act and Additional Resources Available for Response” section, under the “Household Stimulus Payments, Other Income, and Unemployment Compensation” subsection, Q7 (page 12) is new. It addresses benefits from the CARES Act Higher Education Emergency Relief Fund (HEERF) and “Coronavirus Response and Relief Supplemental Appropriations Act, 2021” (HEERF II). For a Section 8 resident who is a student, the amount received through HEERF is excluded as annual income unless it exceeds tuition and any other required fees and charges. Any excess is considered income unless the resident is over the age of 23 and has dependent children, in which case the excess is excluded from income. Amounts received through HEERF II are to be treated in the same manner as HEERF.

In the “Policy and Operations” section, under “Financial Audits, Tenant Income Recertifications, and Utility Analyses” subsection, Q14 (page 25) is also new. It addresses the one-time stimulus payments provided through the “2021 Consolidated Appropriations Act” as well as income provided through the August 8, 2020, Presidential Memoranda (PM) that provided \$400 per week of additional unemployment benefits. Multifamily states that annual income does not include temporary, nonrecurring, or sporadic income, such as that provided by the one-time stimulus payments. The temporary unemployment benefits available through the PM is excluded because the PM authorized the \$400 per week under the Stafford Act using FEMA’s Lost Wages Assistance Program, which is normally excludable income. Any additional future one-time stimulus payments made directly to households would be excluded from annual income, because they too would be temporary, nonrecurring payments.

Q12 (page 24) is updated. The reworded Q12 addresses retroactive rent reduction when a tenant’s income decreases. A distinction is made between a tenant complying or failing to comply with interim income reporting requirements.

Specifically, when a tenant *complies* with interim reporting requirements, an owner/agent must retroactively apply any reduction in rent starting with the first day of the month after the date of the action that caused the decrease in income. However, when a tenant *does not comply* with interim reporting requirements and an owner discovers the tenant has failed to report a decrease in income, any resulting rent decrease must be implemented effective the first rent period following completion of the recertification.

While owners/agents are responsible for setting policies prescribing when and under what conditions a household must report a change in income or composition, Multifamily encourages owners to consider extenuating circumstances in setting and implementing recertification policies during the coronavirus National Emergency.

Q12 continues to refer to the policy in [Handbook 4350.3, REV-1, paragraph 7-11](#) for further information on owner/agent responsibilities when a tenant reports a decrease in income, adding reference to [Handbook 4350.3, REV-1, paragraph 7-13](#) for further information on effective dates for interim recertifications.

Q16 (page 26) is new, explaining that items intended to prevent illness or to reduce the risk of transmitting illness, including personal protective equipment (PPE), can be an eligible medical expense for tenants when recommended by the CDC. Items such as face coverings or PPE (e.g., goggles and gloves) are an eligible medical expense if the item was purchased on or after March 27, 2020, and only for the period during which a national, state, or local coronavirus emergency is in effect. In addition to being included as a current medical expense, eligible households are allowed to include these items as a medical expense retroactive to March 27, 2020 and calculate total tenant payment (TTP) accordingly.

In the “Available Resources for Emergency Expenses and Debt Service” subsection of the “Policy and Operations” section, Q27 (page 29) is updated to indicate that Multifamily property owners and agents can

access property operating accounts for all reasonable and necessary coronavirus-related preparedness and response actions, including hosting a vaccination site at the property. Property funds can be used to cover the following types of expenses associated with operating a vaccination site: materials and supplies needed to set up a site (e.g., tents, barriers, etc.) and costs related to providing residents with transportation to and from a site. No advance HUD approval is required to access operating account funds.

Multifamily also issued on April 2 “[Questions and Answers for Office of Multifamily Housing Stakeholders: Centers for Disease Control and Prevention \(CDC\) Eviction Moratorium Order](#),” which for the first time is a stand-alone document covering the same topic previously included as part of the larger “Coronavirus Disease 2019 (COVID-19): Questions and Answers.” The CDC Eviction Moratorium Questions and Answers document has three minor updates, none of which are significant.

“Questions and Answers for Office of Multifamily Housing Stakeholders: Coronavirus Disease 2019 (COVID-19)” is at: <https://bit.ly/3cZMGZo>

“Questions and Answers for Office of Multifamily Housing Stakeholders: Centers for Disease Control and Prevention (CDC) Eviction Moratorium Order” is at: <https://bit.ly/3wA9FSu>

More information about Project-Based Rental Assistance is on [page 4-61](#) of NLIHC’s *2020 Advocates’ Guide*.

HUD Provides Additional Guidance on Using CDBG-CV for Rental Assistance

HUD’s Office of Community Planning and Development (CPD) posted [new guidance](#) on using Community Development Block Grant-Coronavirus (CDBG-CV) funds for rent assistance (and by extension utility assistance). In particular, the guidance explains how to use the CDBG-CV waiver allowing for rent payment assistance for up to 180 days without triggering costly and time-consuming lead-based paint inspections for any HUD assistance beyond 100 days. In addition, the guidance explains that a grantee may provide more than six months’ worth of rent assistance to a household because paying rent arrears in a lump sum simply counts as “one month” of rent assistance when measuring “six consecutive months” of assistance.

The three-page guidance document is in the form of Questions and Answers (Q&As) that are not numbered. It is dated March 30 but was posted on April 5 with the long title: “Using Annual Formula CDBG, FY 2019 and 2020 CDBG to prevent, prepare for, and respond to coronavirus, and CDBG-CV Funds for Rent or Mortgage and Arrearages Subsistence-Type Payments.”

Brief Background on CDBG-CV Rent Assistance Waiver

Existing CDBG regulations [24 CFR 570.207(b)(4)] allow the use of CDBG to make “emergency grant payments made over a period of up to three consecutive months to the provider of such items or services [food, clothing, housing (rent or mortgage), or utilities] on behalf of an individual or family.” Therefore, the use of CDBG to provide assistance for up to three months in the form of rent or mortgage assistance and utility payments was already an eligible use of CDBG.

An August 20, 2020 waiver extended to six consecutive months the amount of time a household may receive rent and/or utility assistance.

The CARES Act removed the statutory 15% cap on the amount of a jurisdiction’s CDBG allocation that can be used for “public services,” which the provision of rental assistance or utility payment assistance would normally be considered. The Act limits the exemption from the 15% cap to “activities to prevent, prepare for, and

respond to the coronavirus.” The Act also states that a jurisdiction’s FY19 and FY20 CDBG allocations are also free of the 15% public service cap.

The guidance only cites the Entitlement CDBG regulations (for larger cities and urban counties). The State CDBG regulations do not have a similar provision. However, HUD sub-regulatory guidance, “[Basically CDBG for States](#),” makes very clear a number of times that although a state must follow the text of the Housing and Community Development Act, a state may use the CDBG Entitlement regulations as a “safe harbor.”

Although the guidance also discusses the use of “regular” (non-CDBG-CV) for rental assistance, this *Memo* article focuses specifically on CDBG-CV uses.

When Does the Clock Start for Counting Six Months of Emergency Rental Assistance?

The last Q&A on page two states that the six consecutive month period allowed for CDBG-CV rental assistance (and regular FY19 and FY20 CDBG used for coronavirus-related rental assistance) begins on the date the first payment is made to a landlord on behalf of a household.

The fifth Q&A on the first page clarifies that CDBG-CV may be used to pay rent arrears (back rent owed).

The first Q&A on page three clarifies that the six consecutive month period “begins when the payment is made to a landlord, not when a household’s back rent (arrears) began... The start of the six consecutive months... is related to when payments are made from the grant, not from the date of the arrearages.” A grantee may cover some or all of the amount in arrears within the first month of assistance and continue through the consecutive period of assistance.” It offers an example:

“For an individual four months in arrears on rent who applied for emergency payment assistance under CDBG-CV, the covered period may include the four months they are in arrears within the payment for the first month of assistance then continue for up to five more months to fulfill the up-to-six-consecutive-month-period allowance.”

In other words, a grantee may provide more than six months’ worth of assistance to a household because paying rent arrears in a lump sum simply counts as “one month” of rent assistance when measuring “six consecutive months.” In CPD’s example, that household would be receiving nine months’ worth of rent assistance because the four months of arrears in the example are “counted” as one month, allowing the household to receive additional assistance for another five consecutive months going forward.

But another hurdle must be considered: any HUD assistance longer than 100 days triggers a requirement that an assisted home have a lead-based paint visual inspection.

100-Day Lead-Based Hazard Inspection Requirement

The answer at the top of page 2 (the question is on the bottom of the first page) informs readers that rental assistance beyond 100 days triggers a requirement that there be a visual inspection to determine whether there are lead-based paint hazards. It also briefly refers to the last two Q&As on the last page.

The second to last Q&A on the last page is very helpful regarding the 100-day lead-paint cap. It states that the 100-day period begins at the time an actual rent assistance payment is made and then “counts” forward. The Q&A provides an example: “If assistance is being provided to an individual or family that covers three months of arrears within the first month of assistance, the 100 days begins at the time of payment going forward.”

Because this was still a bit confusing, NLIHC contacted CPD headquarters with the following paraphrase, which CPD confirmed as accurate:

“Payments for rent arrears do not necessarily ‘count’ toward the 100-day lead-based paint cap if those payments for arrears (in the example, three months of arrears) are paid to a landlord on May 1, allowing a household to still receive up to three months of rent assistance (June 1, July 1, August 1) without hitting the 100-day lead-based paint cap – even though technically the household is receiving 180 days of rent assistance.”

Remote Visual Inspections for Lead-Based Paint Hazards

The last Q&A indicates that due to the coronavirus it might not be safe for an onsite visual inspection after 100 days of rental assistance to determine whether there are lead-paint hazards. Therefore, CPD allows an owner or someone else (a “surrogate”) to perform a “remote visual inspection.”

Not indicated in the Q&A, HUD’s office of Public and Indian Housing (PIH) allows a tenant or owners to conduct such a remote visual inspection. PIH describes a “remote visual inspection” (RVI) as a method of conducting a housing inspection using video or digital picture technology performed with the use of a someone (a “proxy” or “surrogate”) who follows the direction of an official inspector. If CPD follows PIH, the CDBG-CV grantee would probably have to approve the substitute inspector who would be in the unit holding a camera and following the instructions of a remote official inspector.

While CPD does not specify, it might be instructive for advocates to know what PIH requires in terms of necessary equipment. PIH indicates that an official inspector decides what equipment is needed and lists commonly used equipment:

- A lighting device (e.g., a flashlight)
- A fully charged smartphone or tablet that has a reliable internet connection (Wi-Fi or at least 4G wireless service).
- A smartphone or tablet must have enough camera resolution (megapixels, sensors, and pixel size) for an inspector to see items in detail such as paint chips.

Other Key Information

The Second Q&A on the second page indicates that CDBG-CV grantees may accept a household’s “certification” that their income is less than 80% of the area median income (AMI) and therefore compliant with the CDBG statute’s benefitting a low- or moderate-income household “national objective.”

The second Q&A on the last page gives an example of the “six consecutive months” waiver that many advocates and grantees might not have thought of. A household may need CDBG-CV funds to cover rent arrears within the first month of assistance, be able to cover the second month, only to then need assistance for the third month. The Q&A states that this would be acceptable because it is within the period of up to six consecutive months.

“Using Annual Formula CDBG, FY 2019 and 2020 CDBG to prevent, prepare for, and respond to coronavirus, and CDBG-CV Funds for Rent or Mortgage and Arrearages Subsistence-Type Payments” is at:

<https://bit.ly/3unbpMW>

More about the regular CDBG program is on [page 8-3](#) of NLIHC’s *2020 Advocates’ Guide*.

Additional Coronavirus Updates – April 12, 2021

NLIHC Resources

- New Resource: [FEMA Non-Congregate Sheltering During the Pandemic: Policy Changes and New Opportunities to Address the Needs of People Experiencing Homelessness](#)
- [Frequently Asked Questions: Treasury’s Emergency Rental Assistance Program](#) – Updated April 2021

National Updates

Centers for Disease Control and Prevention (CDC)

The CDC [posted](#) the eviction moratorium declaration form in several languages: [Amharic](#), [Haitian Creole](#), [Hindi](#), [Russian](#), [Somali](#), [Spanish](#), [Traditional Chinese](#)

Upcoming Events

Register for the [National Health Care for the Homeless Council webinar series](#) on increasing access to COVID-19 vaccines among homeless populations. The webinar series will highlight successful partnerships between HCH facilities and local governments across the U.S. in their efforts to effectively vaccinate people experiencing homelessness. The next webinar is April 13 from 2-3 pm CT. Register for the webinar series [here](#).

The National Coalition for a Civil Right to Counsel is hosting a [webinar](#) next Tuesday, April 13 at 2 pm ET to discuss new sources of federal funding that can advance eviction right-to-counsel efforts.

Advocacy

Tenants can file complaints with the Consumer Financial Protection Bureau (CFPB) and the Federal Trade Commission (FTC) against landlords who violate the CDC eviction moratorium. See NLIHC [Memo 4/5](#).

- Access the CFPB complaint database at <https://www.consumerfinance.gov/complaint/>
- Access the FTC complaint database at <https://reportfraud.ftc.gov/#/?pid=B>

The Justice in Government Project created a [funding matrix](#) on American Rescue Plan Act funds that can support the housing right to counsel movement.

Researchers at the University of Illinois and the National Center for State Courts are conducting a national survey on the impact of COVID-19 on the judicial system. The COVID-19 pandemic required federal and state courts to quickly change their operations and procedures. Researchers are seeking to determine which changes worked well—and should be kept—and which didn’t, and how changes impacted individual cases and access to justice. Results of the study will help identify necessary reforms and plan for future emergencies. Participate by answering a 15-minute survey to report on your own experiences with the courts during the COVID-19 pandemic. If you have questions about the study, contact Professor Robin Fretwell Wilson (wils@uillinois.edu) or Professor Jason Mazzone (mazzonej@illinois.edu).

- Survey for **litigants and other individuals with legal matters** is here: https://ncsc2.iad1.qualtrics.com/jfe/form/SV_3Odltr6EwEkwUm
- Survey for **attorneys and other representatives** is here: https://ncsc2.iad1.qualtrics.com/jfe/form/SV_agbbCZRNTPCIJ5Y

Reporting

[NBC News](#) reports that evictions are continuing at “full steam,” despite the federal eviction moratorium. “Many landlords have flouted the order and its protections,” said NLIHC President and CEO Diane Yentel. “It’s especially disappointing because the Biden administration knows very well what the flaws and the shortcomings are and still failed to correct any of them.”

An op-ed in [Newsweek](#), written by an individual who has first-hand experience with homelessness, urges Americans to acknowledge the nation's looming eviction crisis and recognize the urgent need for action. The article points to [NLIHC's HoUSed campaign](#) as a solution for addressing the impending homelessness crisis.

"Eviction moratoria will only be effective if they are strengthened to protect all renters throughout the crisis and used alongside supportive measures like rental assistance and the right to counsel," writes Emily Benfer in the [Appeal](#).

[PBS NewsHour](#) reports on the challenges facing renters as they juggle complicated rental assistance systems and confusing eviction laws.

[Marketplace](#) discusses how landlords are exploiting loopholes in the CDC eviction moratorium to evict tenants. Tenant advocates are also seeing landlords employ illegal tactics to force out renters, such as changing the locks and shutting off utilities. To protect renters, the moratorium must include access to free legal representation.

The [Thomas Reuters Foundation](#) reports on access to justice concerns related to remote eviction proceedings. As legal proceedings have shifted online, the most at-risk tenants are left without the tools they need to show up in court.

John Pollock of the National Coalition for a Civil Right to Counsel penned a piece in the [Appeal](#) outlining potential federal funding sources to expand local right to counsel efforts.

State and Local News

Alabama

The [Montgomery Advertiser](#) outlines how Montgomery County renters and landlords can access [Alabama's emergency rental and utility assistance program](#).

Arizona

[ABC Arizona](#) found that thousands of eviction cases are still being filed each month in Arizona, despite the federal eviction moratorium. New data from Maricopa County shows that more than 3,000 eviction cases were filed in April 2021.

California

The [Sacramento Bee](#) examines the impact of California's Project Roomkey. The program provided shelter to approximately 35,000 Californians experiencing homelessness in hotels and motels.

The [San Diego County Board of Supervisors](#) passed additional renter protections on April 6 to prevent landlords from exploiting loopholes to evict tenants. The action limits eviction to renters who are an imminent health or safety threat. The county's law goes beyond statewide protections that still allow "just cause evictions." The action requires a second vote at the board's May 4 meeting to take effect.

The San Diego Eviction Prevention Collaborative launched [Housing Help San Diego](#), a program to [help residents at risk of eviction](#) from hard-to-reach communities who may face language, cultural, and income barriers to accessing assistance.

The [Gilroy City Council](#) again rejected a local eviction moratorium, with members questioning the need for an ordinance with county and state protections in effect. Two council members emphasized the need for Gilroy to protect its residents and not depend on other jurisdictions.

Delaware

Delaware relaunched the [Delaware Housing Assistance Program](#) (DEHAP) after receiving \$200 million in federal rent and utility assistance funds. The Delaware State Housing Authority says that [95% of people](#) who have received DEHAP funds are still in their homes, even though 70% of those individuals were facing eviction.

Maine

The [Bangor Daily News](#) reports that Maine has distributed less than two percent of the \$350 million in federal rental assistance, even though tens of thousands of Mainers still face housing insecurity. Since the program launched in March, local community action agencies have received 8,700 applications. Of those, only 573 households received assistance so far, with payments totaling more than \$2.6 million.

Maryland

The [Maryland Consumer Rights Coalition](#) is encouraging Maryland residents to urge the General Assembly to take action to protect the more than 200,000 households at risk of being displaced. More than 3,000 Maryland families have been evicted since July. Courts reopened on March 15, some with a plan to further expedite an already swift eviction process to handle the more than 100,000 pending cases.

Massachusetts

The Baker-Polito Administration [announced](#) that more than \$400 million in new federal funding from the Consolidated Appropriations Act is now available through the Massachusetts COVID-19 Eviction Diversion Initiative. Massachusetts has distributed approximately \$80 million in rental assistance to more than 18,000 households since the beginning of the pandemic. Consult the [Eviction Diversion Initiative Dashboard](#) for statistics about the program.

Michigan

[Macomb Daily](#) reports on the extension of the CDC eviction moratorium and provides a list of federal, state, and local resources for renters in need of housing assistance. According to the Michigan State Court Administrative Office, there were nearly [24,000 eviction filings](#) and 3,286 writs of eviction issued in Michigan between January 1, 2021, and April 5, 2021.

Montana

State officials estimate that Montana's \$17 million [emergency rental assistance program](#) will help about [8,000 renters](#) remain housed.

New Jersey

[NJ.com](#) reports that the New Jersey Attorney General's office announced new measures to protect tenants from illegal lockouts during the eviction moratorium. "The directive outlines clear and easy steps for law enforcement officers to follow. By issuing this directive and educating the public this evening, we can reduce the number of illegal evictions in this state," said Attorney General Gurbir Grewa.

New York

Rachel Fee, executive director of the New York Housing Conference, penned an op-ed in the [Journal News](#) urging state legislators to establish rental assistance program terms that will ensure New York's \$2.3 billion rent relief program reaches households with the greatest needs.

The New York State Senate and Assembly [released a bill](#) to distribute more than \$2 billion in federal rental assistance funds. The state guidance includes clear language that households will be eligible regardless of

immigration status and can self-attest to their financial hardship. The bill states that program administrators should ensure flexibility when determining acceptable documentation.

North Carolina

[NC Policy Watch](#) reports that North Carolina landlords continue to evict tenants, despite the federal eviction moratorium. More than 700 Forsyth County residents have fallen through the cracks of the moratorium.

The [Duke Chronicle](#) discusses efforts by legal advocates and grassroots groups to protect tenants facing eviction.

Ohio

The [Akron Beacon Journal](#) reports that Akron Mayor Dan Horrigan's administration introduced new legislation to protect struggling renters from the growing eviction crisis. The laws would halt evictions for renters who can come up with back rent, likely through emergency rental assistance, and ban source of income discrimination.

The [Cincinnati Enquirer](#) reports that a Hamilton County local task force is going door-to-door to urge families facing eviction to apply for the county's \$60 million federal emergency rental and utility assistance program. The Department of Jobs and Family Services is mailing informational packets to impacted families informing them of available resources.

Pennsylvania

The Pittsburgh City Council [scaled back components](#) of the city's eviction moratorium. The city council [voted on April 6](#) to amend the city's eviction moratorium to more clearly define who can be evicted and reduce the fines for landlords who violate the law. The amendments no longer require landlords to renew leases for tenants who miss rent payments during the pandemic.

Rhode Island

Rhode Island's new statewide rental assistance program, [RentReliefRI](#), has officially opened. The \$200 million rent relief program is funded through Treasury's Emergency Rental Assistance (ERA) program. Check out the following resources:

- [RentReliefRI Partner webpage](#)
- [RentReliefRI one-pager](#)
- [RentReliefRI Community Engagement Toolkit \[Español\]](#)

Texas

[NPR](#) reports on the Texas state court system's decision to no longer enforce the federal eviction moratorium, noting that this decision could allow landlords to proceed with tens of thousands of eviction cases that have been on hold.

[Houston Public Media](#) reported that housing courts in Texas are no longer authorized to halt evictions in compliance with the federal eviction moratorium after the Texas Supreme Court failed to extend statewide eviction protections. After the 34th emergency order lapsed, [Texas judges were advised](#) to stop enforcing the CDC eviction moratorium. The [Texas Justice Court Training Center](#) wrote that the CDC declaration "is not a matter that a justice court can or should enforce in the absence of authority from the Texas Supreme Court," essentially telling judges to disregard the declaration. Read [Texas Housers' statement](#) on the Texas Supreme Court's failure to extend its 34th emergency order.

Vermont

The [Burlington Free Press](#) reports that the second round of Vermont’s COVID-19 rental assistance program is underway. The Vermont State Housing Authority [launched a new website](#) for the Vermont Emergency Rental Assistance Program on April 6.

Virginia

As [Charlottesville](#) braces for a potential tsunami of evictions when the federal eviction moratorium expires at the end of June, the city council is considering a new initiative to provide tenants facing eviction a right to counsel.

Washington

The [Yakima Herald](#) reports that local advocates are bracing for a surge in homelessness when Washington state’s eviction moratorium expires on June 30, 2021. Yakima’s pre-existing affordable housing shortage is exacerbating the current housing crisis.

Washington, DC

The [Washington Post](#) reports the D.C. Council voted on April 6 to allow landlords to evict tenants who are deemed dangerous. [DCist](#) reported on the [bill](#), which will provide a health and safety exception to the city’s eviction moratorium.

Guidance

Consumer Financial Protection Bureau (CFPB)

[CFPB Blog: The CFPB is here to help consumers facing housing insecurity](#) – April 1, 2021

[CFPB’s Resources for Renters webpage](#)

[CFPB YouTube Video: Three steps for struggling renters to delay eviction](#) – March 31, 2021

Department of Housing and Urban Development

[Multifamily Q&A for COVID-19](#) – April 2, 2021

[Multifamily Q&A: CDC Eviction Moratorium](#) – April 2, 2021

[Updated Memo to Multifamily Property Owners: CDC Order to Halt Evictions](#) – April 1, 2021

[CPD Memo: Availability of Additional Waivers for Community Planning and Development \(CPD\) Grant Programs to Prevent the Spread of COVID-19 and Mitigate Economic Impacts Caused by COVID-19](#) – March 31, 2021

[Using Annual Formula CDBG, FY 2019 and 2020 CDBG to Prevent, Prepare For, and Respond to Coronavirus, and CDBG-CV Funds for Rent or Mortgage and Arrearages Subsistence-Type Payments](#) – March 30, 2021

Additional Disaster Housing Recovery Updates – April 12, 2021

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

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

Resources

[HUD Community Resilience Toolkit](#): A guide to help residents of HUD Community Planning and Development (CPD) funds identify opportunities to use their CPD dollars to mitigate the impacts of climate-related hazards.

Winter Storm

[Forty-four families](#) at a low-income townhouse community in Round Rock, Texas, are facing eviction following damage from the severe winter storms in February. The Townhouse at Double Creek, managed by Sandalwood properties, gave its residents seven days’ notice to move out of their homes. Williamson County Commissioner Terry Cook has written to Representative John Carter’s office and FEMA to get trailers sent for those evicted residents.

[Renters in the 126 designated counties in Texas](#) who were forced from their damaged homes because of the severe winter storms may apply for federal assistance, including FEMA’s rental assistance and aid under FEMA’s Other Needs Assistance Program.

[Disaster Legal Services](#) is available for Oklahomans living in the 16 designated counties that were impacted during the February severe winter storms. Homeowners and renters who sustained damage can apply for disaster assistance with FEMA.

Hurricanes Laura & Delta

[WWNO](#) reports that as Lake Charles continues to face the destruction wrought by last year’s hurricanes, the region is battling high coronavirus cases. Hurricanes Laura and Delta devastated Lake Charles, increasing homelessness and forcing families into overcrowded living arrangements – two factors that could be contributing to Lake Charles’ high COVID-19 rates.

[FEMA is seeking property owners](#) to help survivors find a home after Hurricanes Laura and Delta. Property types needed include multifamily homes, duplexes, community complexes, and commercial parks. The properties will be leased by FEMA for a period of up to 18 months under its Direct Lease Program. If an applicant moves out, FEMA may place another applicant in the unit.

Wildfires in the West

[Oregon lawmakers](#) are seeking to protect state-owned sites approved under Oregon’s Project Turnkey from lawsuits. Under [House Bill 3261](#), Project Turnkey sites would be exempted from land use lawsuits at the local level in addition to low-income housing projects. [Project Turnkey](#) is a \$65 million program to acquire hotels and motels for use as non-congregate shelters for wildfire survivors and people experiencing homelessness.

HUD

HUD Office of Recapitalization Announces Faircloth-to-RAD Option to Create New Deeply Affordable Units

HUD’s Office of Recapitalization, which administers the Rental Assistance Demonstration (RAD) formally announced the new “Faircloth-to-RAD” options for public housing agencies (PHAs) to create deeply affordable homes. Faircloth refers to a limit on the number of public housing units a PHA can own, assist, or operate. The

Office of Recapitalization indicates that many PHAs operate fewer public housing units than their Faircloth limit, meaning that currently 220,000 units of public housing could be developed. The new Faircloth-to RAD option is designed to establish a long-term, reliable rental subsidy contract to help PHAs and their development partners more readily finance the construction of new deeply affordable units. The latest list of PHAs with available Faircloth units (as of November 30, 2020) is [here](#). Recap will conduct a webinar about the Faircloth-to-RAD option on Monday, April 26 at 3 pm ET. Register [here](#).

Congress established in 1998 a limit on the number of public housing units the federal government would support. The Faircloth Amendment to the Housing Act of 1937 prohibits HUD from funding the construction or operation of new public housing units with capital or operating funds if construction would result in a net increase in the number of public housing units a PHA owned, assisted, or operated as of October 1, 1999. This is referred to as the “Faircloth Limit,” named after Lauch Faircloth, a North Carolina senator who championed the limit.

One reason PHAs with available Faircloth units have not been unable to construct new public housing units is because there is no new federal funding for their initial construction. The new option is intended to enable PHAs with Faircloth unit availability to develop public housing units on a temporary basis using HUD’s public housing mixed-finance program with pre-approval to convert the property under RAD to a long-term Section 8 contract once construction is complete. By providing early-stage RAD conversion approvals, specifically the revenue certainty and the market-familiarity of a Section 8 contract that these RAD approvals represent, HUD gives lenders and investors the information they need to underwrite the construction of new public housing.

The Office of Recapitalization produced a [Faircloth-to-RAD Fact Sheet](#) that lists available Faircloth units by state, and more importantly, PHAs that have more than 1,000 available Faircloth units. Chicago has 19,497 units, New York City has 10,864 units, New Orleans has 10,347 units, Atlanta has 9,136 units, and Philadelphia has 7,024 units.

HUD’s Office of Recapitalization will conduct a webinar on Monday, April 26 at 3 pm ET. Register at: <https://bit.ly/3mGUjqF>

PHAs with available Faircloth units as of November 30, 2020 is at: <https://bit.ly/3uubTB0>

The Faircloth-to-RAD Fact Sheet is at: <https://bit.ly/3fW7jHC>

A detailed Faircloth-to-RAD guidance document for PHAs is at: <https://bit.ly/3wB6BW6>

Faircloth FAQs (June 2020) are at: <https://bit.ly/2Qeryp1>

Basic information about RAD is on [page 4-39](#) of NLIHC’s *2020 Advocates’ Guide*.

Congress

Senate Banking, Housing, and Urban Affairs Committee to Hold Hearing on Racial Discrimination in Housing

Senate Banking, Housing, and Urban Affairs (BHUA) Chairman Sherrod Brown (D-OH) announced on April 6 the committee schedule for the rest of the month. This includes a hearing on the legacy of racial discrimination in housing. The hearing, entitled “Separate and Unequal: The Legacy of Racial Discrimination in Housing,” will be held at [April 13 at 10 am ET](#).

Witnesses include Sherrilyn Ifill, president and CEO of the NAACP Legal Defense and Education Fund; Lisa Rice, president and CEO of the National Fair Housing Alliance; Dr. Jason Reece, assistant professor of city and regional planning at the Knowlton School of Architecture at the Ohio State University; Howard Husock, American Enterprise Institute adjunct fellow and contributing editor at *City Journal* and the Manhattan Institute; and Tobias Peter, research fellow and director of research at American Enterprise Institute's Housing Center.

Unless otherwise noted, hearings and votes will be broadcast live at: <https://bit.ly/3g3hcDF>

Visit <https://www.banking.senate.gov/hearings> for the most up-to-date schedule of BHUA hearings and witness lists.

Opportunity Starts at Home

New Research on the Impact of Redlining on Educational Outcomes

The [Annenberg Institute for School Reform at Brown University](#) recently released a new [working paper](#) exploring the impact of historical redlining policies on educational outcomes, including school district funding, school diversity, and student performance. The findings demonstrate that districts and schools currently located in formerly redlined neighborhoods have significantly less per-pupil revenues, larger shares of Black and non-white student bodies, less diverse student populations, and lower average test scores compared with those located in neighborhoods that were not redlined.

“While much of the literature today shows redlining’s negative effects on outcomes such as housing prices, neighborhood segregation, and crime, very few studies, if any, look at the intergenerational relationship between redlining and present-day educational outcomes,” write the authors. “These findings suggest that education policymakers need to consider the historical implications of redlining and past neighborhood inequality on neighborhoods today when designing modern interventions focused on improving life outcomes of students of color.”

Read the study’s findings [here](#).

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

NLIHC Leadership Awards

Honor Rep. Maxine Waters, Sen. Sherrod Brown, Joy Johnson, and the Housing Justice Network at NLIHC’s 2021 Housing Leadership Awards Celebration on April 28

[Join us](#) on April 28 to honor **Representative Maxine Waters** (D-CA), chair of the House Financial Services Committee; **Senator Sherrod Brown** (D-OH), chair of the Senate Banking, Housing, and Urban Affairs Committee; **Joy Johnson**, long-time resident leader of the Charlottesville Public Housing Association of Residents (PHAR) and former NLIHC board member; and the **Housing Justice Network** of the National Housing Law Project. These leaders will be celebrated at NLIHC’s 2021 Housing Leadership Awards Celebration to be held virtually, free to the public, on Wednesday, April 28 from 4-5 pm ET. Learn more, register, and donate in their honor at: <https://bit.ly/LEADERS21>



Rep. Maxine Waters

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



Sen. Sherrod Brown

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



Joy Johnson

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



The National Housing Law Project’s **Housing Justice Network** will receive the Sheila Crowley Housing Justice Award for the Network’s outstanding efforts for over forty years serving on the front lines to advance housing rights and over past year to keep families safely housed during the pandemic. This award is named after former NLIHC President and CEO Sheila Crowley, who led NLIHC for more than 17 years.

Recognize these outstanding leaders by making a donation to NLIHC in their honor at:
<https://bit.ly/LEADERS21>

Or text LEADERSHIP to 41444.

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, accessible, and affordable homes.

Register to attend the free event at: <https://bit.ly/LEADERS21>

Research

Annual Index Compares States on Youth Homelessness Response

The National Homelessness Law Center and True Colors United recently released the [2020 State Index on Youth Homelessness](#). Each year, the two organizations collaborate to publish a report on the systems,

environment, and laws of all states related to preventing and ending youth homelessness. The report provides an index score for each state based on 61 metrics, as well as recommendations for how each state could better address youth homelessness. While the overall average score has improved since 2019, the authors find that a majority of states are failing youth experiencing homelessness.

The index score takes into consideration an array of factors:

- Whether the state has comprehensive laws protecting youth experiencing homelessness
- Whether the state limits or prevents the contact such youth have with criminal and juvenile justice systems
- Measures related to youth emancipation
- Plans to meet their educational needs, and access to health care and nutrition assistance.

The index also tracks whether states have formal plans to end youth homelessness, state entities dedicated to the problem, community advisory boards, and specific protections for LGBTQ+ youth experiencing homelessness.

Each metric is connected to a recommendation. For example, the authors recommend that states create offices equipped to address the problem of youth homelessness (e.g., an Office of Homeless Youth Services or a State Interagency Council on Homelessness), and that they adopt diversionary supports and systems that keep youth out of the juvenile legal system. Throughout the report, the authors provide specific examples of how states are carrying out such recommendations, which could serve as models for other states.

The report can be found at: <https://bit.ly/31Xdgfi>

An online spreadsheet with further scoring details is available at: <https://bit.ly/2020index>

Research Brief Outlines Causes of Affordable Housing Shortages and How Federal Policies Can Help

A research brief from the Urban Institute and Moody’s Analytics, “[Overcoming the Nation’s Daunting Housing Supply Shortage](#),” outlines explanations for our country’s housing shortage, and assesses how federal funding can increase supply. The report finds that land prices, limited access to bank loans, and material costs and labor all significantly affect the affordable housing supply shortage. Greater funding for Low Income Housing Tax Credits, the Community Development Fund, and transportation infrastructure could help mitigate this constrained supply. The report also finds that funding for the national Housing Trust Fund (HTF) could increase affordable housing construction by nearly two million units over the next decade.

The supply of affordable housing in this country is at a critical low, with the annual supply of new housing at approximately 100,000 less than housing demand. This dearth in supply drives up home prices and rental costs, particularly among low- and moderate-income households. Home prices in the bottom quartile have grown approximately 8% annually over the last decade. For tenants who rent because they cannot afford to purchase a home, rental prices have increased 4% annually over the last decade. These increased prices result in households spending more of their income on housing, decreasing opportunities to save money and build wealth.

Using data from the Bureau of Labor Statistics, Federal Housing Finance Agency, Federal Reserve, and other sources, the authors assessed how several factors impact the country’s housing shortage. These include the availability and cost of land; acquisition, development, and construction loan standards; construction labor costs; and lumber prices. The authors employ regression analysis to assess the impact of these factors on housing supply and find that all four have a significant effect on the supply shortage. The cost and availability

of land has affected supply shortages the most. In recent years, the cost of land has increased to 55% of the total median home price. The availability and cost of land is largely affected by zoning and permitting processes, which can restrict multi-family or dense development and make development processes unnecessarily complex.

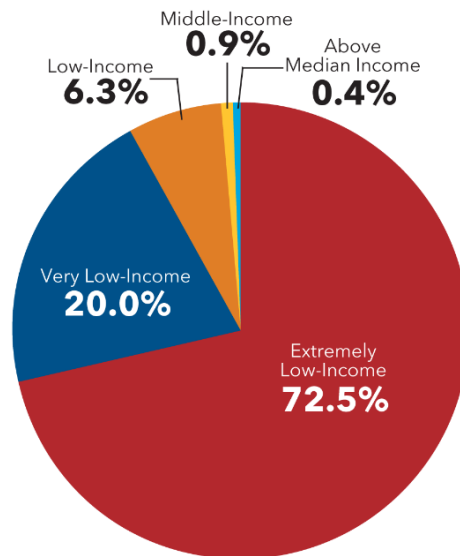
To assess how federal programs can address this housing shortage, the authors analyzed the effect of increasing the annual funding to the HTF and CMF on housing supply. These programs provide funding to preserve and construct housing for low-income households. The authors estimate that if the federal government increased annual funding for the HTF to \$46.5 billion, the program could increase affordable housing construction by approximately 197,823 units per year over a 10-year period. The authors go on to explain that if the federal government increased annual funding for the CMF to \$3.2 billion, the program could increase affordable housing construction by approximately 76,284 units per year. Funding these programs would have other macroeconomic benefits as well, including increasing employment by creating over 400,000 jobs by the mid-2020s. The brief proposes a series of other policy recommendations, including investing in state and local transportation, increasing the Low-Income Housing Tax Credit, and increase funding to localities who commit to building affordable housing through the Community Development Block Grant.

The report can be found at: <https://urbn.is/3rVa0vh>

Fact of the Week

Overwhelming Majority of Severely Housing Cost-Burdened Renters Have Extremely Low Incomes

THE GAP
SEVERELY HOUSING COST-BURDENED RENTERS BY INCOME, 2019



AMI = Area Median Income.
Source: NLIHC tabulations of 2019 ACS PUMS data.
©2021 National Low Income Housing Coalition

<https://nlihc.org/gap>



Source: NLIHC, 2021. *The Gap: A Shortage of Affordable Homes.*

From the Field

Berkeley Ends Exclusionary Zoning

Add another city to the growing list who have banned exclusionary zoning. At the end of February, Berkeley, CA, adopted a resolution calling for the end of exclusionary zoning by 2022. The city council passed the resolution unanimously, suggesting that additional legislation and regulatory change to follow has strong support from the body.

This resolution is a significant victory for a city which, despite its reputation for being a left-leaning politically, has a legacy of entrenched support for single-family detached housing units. Berkeley was among the first municipalities in the nation to specifically designate a neighborhood for exclusively single-family home construction. Historically, proposals for duplexes, triplexes, and fourplexes have been nearly impossible to pass. Since exclusionary zoning's passage in 1916, the policy has segregated the community and prevented people of color from buying or leasing property in wealthy and white neighborhoods, especially in east Berkeley.

Advocates point to an increase in public engagement as essential to countering the vocal anti-housing-production NIMBY advocates. Specifically, students at the University of California-Berkeley, who are among the primary victims of the city's lack of affordable housing, began to attend land-use meetings and strongly support proposed housing developments. For example, at a 2019 hearing about an 18-story apartment building, every student speaker backed the project.

Additionally, groups such as North Berkeley Now!, South Berkeley Now!, and East Bay for Everyone started educating and mobilizing non-students about Berkeley's racist and elitist housing policies. Both groups expanded their work from building housing around BART (train) stations to a larger discussion about why so many Berkeley neighborhoods banned new apartments. Their use of lawn signs and Twitter resulted in more supportive Berkeley residents speaking up at city council and land-use hearings.

Other cities—Minneapolis, Grand Rapids, Cambridge, Portland, and Sacramento—have also successfully utilized these advocacy strategies to pass up-zoning legislation. All five cities built broad political coalitions around affordable housing and engaged in education efforts to enact these sensible zoning changes that will ease upward pressure on rents.

“Berkeley's real message in passing this resolution is that grassroots organizing – both around public hearings and local elections – really matters,” said Randy Shaw, author of *Generation Priced Out* and a Berkeley resident who has long called for zoning reform. “It's critical for housing advocates to continually work to expand support for inclusive and anti-racist housing policy.”

NLIHC News

NLIHC Seeks Project Director

NLIHC seeks a project director for its ERASE (End Rental Areas to Stop Evictions) project to ensure that the historic emergency rental assistance (\$46 billion) appropriated by Congress reaches the lowest-income and most marginalized renters it is intended to help. The project director will oversee efforts to track and analyze emergency rental assistance (ERA) utilization; document and share best practices and toolkits; influence and shape program design at federal, state, local levels; develop key partnerships and tools for outreach and education; and assess the remaining needs to inform advocacy for long-term investments to end housing

instability and homelessness in the U.S. This is a one-year position (with the possibility of extension depending on funding) reporting to the NLIHC president and CEO.

RESPONSIBILITIES:

- Direct and coordinate the activities of a team of NLIHC staff and consultants dedicated to the ERASE project.
- Work with the NLIHC ERASE team to build upon and advance the ERASE Research and Learning Network:
 - Build upon NLIHC’s existing systems and partners to track all ERA programs throughout the country and conduct original qualitative and quantitative research to analyze how programs are working.
 - Prepare and broadly disseminate materials designed to ensure that ERA advances racial equity and reaches the lowest-income and most marginalized renters.
 - Coordinate the creation and regular updating of public-facing and interactive “Dashboard” and clearing house, providing the public (impacted people, policy makers, media, advocates, and others) current information on how/whether ERA programs are meeting the needs of the lowest-income and most marginalized tenants. Track and highlight developing trends related to landlord participation, self-attestation, direct-to-tenant assistance, and ensure language translation and other accessibility features.
 - Document and share best practices, lessons learned, challenges and success. The ERASE team will analyze the number and types of households assisted and levels of assistance needed with careful attention to whether the programs are reaching the lowest-income and most marginalized renters most in need of assistance.
 - Create an ERASE advisory council, made up of model program administrators, CBOs, representative tenant organizer networks and impacted people to assist with design of toolkits, model forms, model programs and case studies on program design including tenant outreach, distribution methods, landlord participation, intake support, recertification, and more. Ensure these materials are broadly disseminated to program administrators, as well as to state and local housing organizations and activists so they can promote the utilization of user-friendly applications and systems by the administering agencies in their communities - to build the capacity of state-based partner organizations to influence, track, and assist with outreach and aid sign-up efforts.
 - Create opportunities for peer-to-peer learning, through a listserv and other mechanisms, to allow for program administrators to share lessons learned and useful tools/information with each other.
 - Organize and host webinars and other trainings for activists and non-profit organization leaders, as well as relevant state and local agency officials.
- Build upon and advance, with the NLIHC ERASE team, NLIHC’s field advocacy and outreach in support of the campaign:
 - Oversee the provision of and ongoing support of NLIHC grants to state and local organizations around the country working on the key components of the ERASE project.
 - Ensure grantees engage in robust advocacy at the state and local level needed to ensure ERA funds are utilized effectively and efficiently and assist the lowest-income people in need.
 - Ensure grantees engage in effective outreach and sign-up efforts of low-income households, especially for programs or assistance that did not exist before, benefitting from direct outreach by people and organizations with meaningful roots in their communities.
 - Convene grantees for peer learning and strategy-sharing.

- Prepare reports for NLIHC donors on activities, outputs and outcomes of the ERASE campaign, including summaries of activities undertaken by state and local grantees.

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

- A bachelor’s degree required; an advance degree preferred.
- More than 8 years of experience directing/managing projects and campaigns and supervising staff.
- A strong, demonstrated commitment to the alleviation of poverty and social justice (affordable housing knowledge/experience strongly preferred).
- Demonstrated strong organizational skills, attention to detail, and ability to coordinate multifaceted efforts by a diverse team.
- Excellent communications skills, both orally and in writing.
- Experience successfully building and maintaining professional partnerships and relationships.
- 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 telework is being implemented during the pandemic.

JOB APPLICATION PROCESS: Send a cover letter, resume, and two writing samples to: Diane Yentel and Paul Kealey, NLIHC, 1000 Vermont Avenue, N.W., Suite 500, Washington, D.C. 20005 at dyentel@nlihc.org and pkealey@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 Seeks Website and Graphic Design Specialist

NLIHC seeks a website and graphic design specialist who will be responsible for managing NLIHC websites and electronic communications, designing print and electronic publications and materials, developing and maintaining the NLIHC brand through all external materials, and assisting with the development and execution of communications and marketing strategies.

Responsibilities:

WEBSITE & ELECTRONIC MEDIA

- Manage and maintain NLIHC’s websites, taking into account functionality, appearance, content, and performance.
- Design and post materials, including *Memo to Members and Partners e-newsletter*; design and maintain topical areas of the websites; ensure the accuracy, relevance, and timeliness of all posted materials; make recommendations for revisions and reorganization.
- Work closely with team leads to ensure accuracy and relevance of material on website.
- Assist with design and distribution of mass e-communications. Manage use of Mailchimp, and other mass e-communication platforms.

PUBLICATIONS

- Execute design and production of all print and electronic materials, graphics, and reports; collaborate with other teams in design process.

- Assist with the planning and distribution of publications and materials; manage the process as necessary.

COMMUNICATIONS SUPPORT

- Track and analyze communications metrics for website(s), *Memo to Members and Partners*, and webinars; prepare reports as necessary.
- Provide graphic support to comms team lead responsible for managing and expanding the Coalition's social media platforms and utilizing new social networking tools, including webinars and videos.

EVENT SUPPORT

- Assist in the development and execution of the event marketing assets and strategies.
- Design and produce all print and electronic materials related to events, including awards, giveaways, signage, and any other presentation elements.
- Design and assist with management of online content related to the events and registration.
- Manage the photography for the event and other communications elements as needed.

ORGANIZATIONAL SUPPORT

- Attend all meetings of the Board of Directors and Board committees, as needed.
- Participate in staff meetings, retreats, trainings, and all Coalition events.
- Other duties as assigned.

MINIMUM REQUIREMENTS

To perform successfully in this role, incumbent should possess skills identified below:

- At least 2 years of experience with digital strategy and website development.
- At least 1-3 years of experience in creative design.
- Training in communications, marketing, and/or website and graphic design.
- Must be able to organize, multi-task, and prioritize multiple projects at a time.
- A Bachelor's degree is required

To perform successfully in this role, incumbent should possess skills identified below:

- Strong knowledge of graphic designing, layout, and creative visual elements
- Experience working in Drupal and WordPress
- Experience with Google Analytics
- Advanced HTML and CSS skills
- Proficient with the Adobe Creative Suite, specifically Illustrator, Photoshop and InDesign
- Proficiency in Microsoft Office Suite (Excel, Word, PowerPoint, and Outlook)

Recommended but not required: Proficient video editing with Premiere Pro and/or After Effects

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 telework is being implemented during the pandemic.

JOB APPLICATION PROCESS: Send a cover letter, resume, and portfolio link or attachments of graphic design samples to: Bairy Diakite, Operations Manager, NLIHC, 1000 Vermont Avenue, NW, Suite 500, Washington, D.C. 20005 or via email at 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 April 5

The following are some of the news stories that NLIHC contributed to during the week of April 5:

- “How historic eviction bans, activist organizing and billions in rental relief kept tens of millions of people in their homes during the pandemic.” *CNBC*, April 8 at: <https://cnb.cx/320VoAd>
- “The \$50 billion race to save America’s renters from eviction,” *Washington Post*, April 8 at: <https://wapo.st/3d1G7Fz>
- “Federal low-income housing grant doubles in size this year,” *AP*, April 6 at: <https://bit.ly/3cYFMn0>

NLIHC Staff

Kyle Arbuckle, Housing Advocacy Organizer, x227
Olivia Arena, Housing Advocacy Organizer, x209
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
Fonzi Mendoza, Research Intern
Khara Norris, Senior Director of Administration, x242
Neetu Nair, Research Analyst, x291
Noah Patton, Housing Policy Analyst, x227
Ikra Rafi, Creative Services Specialist, x246
Catherine Reeves, Development Coordinator, x234
Sarah Saadian, Vice President, Public Policy, x228
Sophie Seibach, Field Intern
Brooke Schipporeit, Housing Advocacy Organizer, x233
Kevin Tan, Graphic Design/Communications intern
Dan Threet, Research Analyst, x202
Chantelle Wilkinson, Housing Campaign Manager, x230
Renee Willis, Vice President for Field and Communications, x247
Rebecca Yae, Senior Research Analyst–COVID-19 Response
Diane Yentel, President and CEO, x225

