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## HoUSed Campaign

### Take Action: Senate Approves Budget Resolution Calling for \$332 Billion for Housing and Transportation

The Senate [voted](#) 50-49 on August 11 to approve a budget resolution that sets the stage for a \$3.5 trillion infrastructure and economic recovery package, **including up to \$332 billion for investments in housing and transportation**. We have not been this close to such a significant investment in affordable housing in generations!

Much more work lies ahead, and the time for action is NOW! While the House of Representatives is slated to return to Washington on August 23 to vote on the budget resolution, the Senate Banking Committee and House Financial Services Committee are drafting legislation to divvy up these funds among various housing and transportation programs.

We need your help to ensure that any infrastructure and economic recovery package includes the [HoUSed campaign's top priorities](#): expanding rental assistance, providing \$70 billion to preserve public housing, and investing \$45 billion in the national Housing Trust Fund (HTF). Together, these resources will help ensure that America's lowest-income and most marginalized households are safely, accessibly, and affordably housed.

### Background

The HoUSed campaign works to achieve the large-scale, sustained investments and anti-racist reforms necessary to ensure that renters with the lowest incomes have stable, accessible, affordable homes. An infrastructure and economic recovery package is our first and best opportunity to advance HoUSed campaign priorities, including expanding rental assistance, repairing public housing, and investing in the national Housing Trust Fund at the scale necessary to address our nation's affordable housing crisis.

The budget resolution, approved on August 11 by the Senate, calls for more than \$332 billion for housing and transportation investments in an infrastructure package. The House will return to Washington to vote on the resolution on August 23. Congressional committees, including the Senate Banking Committee and House Financial Services Committee, will draft legislation to divide allocations among various programs.

The allocation for housing and transportation included in the budget resolution would allow for robust housing investments in line with or even above the \$318 billion proposed for housing programs by President Biden in his "American Jobs Plan," which the administration increased from an initial proposal of \$213 billion, thanks to the hard work and tenacity of affordable housing and homelessness advocates. President Biden's \$318 billion included \$105 billion in housing-related tax provisions and \$213 billion in direct investments.

### Take Action

Help build support for the HoUSed campaign:

1. **Join more than 1,000 organizations nationwide by signing the HoUSed campaign [petition](#) and by circulating it among your networks.** This letter is one of the most effective ways to show congressional leaders the broad support for the HoUSed campaign's [long-term policy agenda](#), and we regularly share this letter with members of Congress to make the case for the HoUSed campaign's [priorities](#) for the infrastructure/economic recovery bill.
2. **Email your members of Congress.** The following link makes emailing your members of Congress easy, providing a sample script you can use or edit as you see fit: <https://tinyurl.com/vyukdhks>

3. **Call your member of Congress.** The following link provides a call script and a phone number to the Capitol switchboard, which will connect you to the appropriate congressional office: <https://tinyurl.com/757ptvft>, and you can find your in-district congressional office phone numbers at: <https://www.govtrack.us/>
4. **Use August Recess to keep up the pressure on Congress.** During August recess, members of Congress will be home in their states and districts. The recess is the perfect opportunity for housing advocates to build congressional support for the HoUSed campaign's [infrastructure priorities](#). During this time, you can:
  - Attend townhalls and ask questions to your members of Congress about their support for these investments
  - Meet with your members of Congress or their staff in-district and urge them to support these investments
  - Invite your members of Congress to a tour of a housing development supported with resources from the HTF, or public housing in need of repairs. Invite them to meet households who use or are in need of rental assistance
  - Publish op-eds and letters-to-the-editor calling for investments in the HTF, public housing, and rental assistance. Once published, share them with your members of Congress
  - Regularly engage with members of Congress on the long-term housing needs in your community and why these investments would help

NLIHC has created a [media toolkit](#) you can use. It includes talking points, sample op-eds, and social media messages. As always, NLIHC staff are ready to help you.

**Thank you for your advocacy!**

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## **Recording Available of August 9 National Call on “HoUSed: Universal, Stable, Affordable Housing”**

During our most recent (August 9) national call on “HoUSed: Universal, Stable, Affordable Housing” we heard from Shamus Roller, executive director of the National Housing Law Project, who discussed the new federal eviction moratorium. Mary Tingerthal, consultant with the National Alliance to End Homelessness (NAEH), shared a series of case studies on converting hotels into permanent housing. We heard the latest from NLIHC’s ERASE project about immediate federal, state, and local actions needed to protect renters; shared the latest updates on the infrastructure and reconciliation packages from Capitol Hill; and received field updates.

Shamus Roller, executive director at the National Housing Law Project, spoke about the new Centers for Disease Control and Prevention (CDC) [eviction moratorium](#) (see *Memo*, [8/9](#)) and shared the [updated moratorium declaration](#). Mary Tingerthal, a consultant working with the NAEH, discussed a series of [case studies](#) she authored on converting hotels into permanent housing. The case studies outline noteworthy hotels-to-housing initiatives implemented across the country and provide suggestions for how communities might implement similar programs.

NLIHC’s Sarah Saadian provided updates on the [budget resolution](#) (see *Memo*, [8/9](#)), which would provide \$3.5 trillion to enact President Biden’s [Build Back Better agenda](#), including \$332 billion for housing and transportation investments. NLIHC’s Rebecca Yae and Sarah Gallagher provided End Rental Arrears to Stop Evictions (ERASE) updates and discussed an [ERASE checklist](#). Nancy Brune from the Guinn Center in

Nevada, David Young from the Alabama Housing Finance Authority, and President of the Dekalb County, Georgia NAACP Teresa Hardy provided field updates.

NLIHC's next national call will be held Monday, August 23. Register for the call at: <https://tinyurl.com/ru73qan>

Watch a recording of the call at: <https://tinyurl.com/9vbmmues>

View presentation slides at: <https://tinyurl.com/9vbmmues>

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## **National HoUsed Campaign Call Takes One-Week Hiatus, No Call Today**

NLIHC's national HoUsed campaign call will take a one-week hiatus; there will be no call today, August 16. The next HoUsed campaign call for universal, stable, affordable housing will take place on Monday, August 23 at 2:30 pm ET.

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## **Eviction Moratorium**

### **U.S. District Court Judge Leaves CDC Eviction Moratorium in Place**

U.S. District Court Judge Dabney Friedrich on August 13 denied a request from the Alabama and Georgia Associations of Realtors to rule the new Centers for Disease Control and Prevention (CDC) eviction moratorium illegal, saying her "hands are tied" by an appellate court ruling maintaining a stay on the previous CDC eviction moratorium. The decision is already being appealed to the U.S. Court of Appeals and may end up back in the U.S. Supreme Court soon.

In late June, the Supreme Court ruled in a 5-4 vote to allow the original CDC eviction moratorium to remain in place. Justice Brett Kavanaugh, who voted with the majority, said that he was voting to allow the moratorium to continue only because it was set to expire at the end of July and an extension was needed for the "orderly distribution of emergency rental assistance." He said that he would reject any further extension without clear authorization from Congress. An effort in Congress to pass legislation authorizing the moratorium failed at the end of July, however, and the CDC issued on August 3 a new, more limited moratorium in areas with substantial or high COVID-19 transmission rates, covering about 80% of U.S. counties and 90% of renters through October 3.

The CDC moratorium is an essential public health measure, protecting millions of renters from eviction and possible homelessness during a surge in the COVID-19 Delta variant around the country, and gives more time for renters to access emergency rental assistance.

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### **NLIHC and NHLP Urge Treasury, HUD, USDA, and FHFA to Implement Eviction Moratorium Directive**

NLIHC and the National Housing Law Project (NHLP) sent on August 10 a [letter](#) to the secretaries of HUD, US Department of Agriculture (USDA), and Treasury, as well as the acting director of the Federal Housing Finance Agency (FHFA), urging them to implement the Biden administration's July 29 [directive](#) calling for the agencies "to extend their respective eviction moratoria through the end of September" and "to do everything in their

power so that owners and operators of federally assisted and financed rental housing seek Emergency Rental Assistance (ERA)...before moving toward eviction.”

To adhere to this directive, NLIHC and NHLP calls on the departments to require housing authorities and federally assisted property owners to apply for ERA before filing an eviction for non-payment of rent. The letter also asks FHFA to wield its authority to institute a moratorium or other eviction prevention requirements on properties with federally backed mortgages or multifamily loans.

The new Centers for Disease Control and Prevention (CDC) eviction moratorium for renters living in areas with substantial or high transmission rates of COVID-19 (see *Memo*, [8/9](#)) has provided millions of households currently behind on rent a much-needed lifeline. Legal challenges from landlords and realtors, however, pose a significant threat to the new moratorium. If these challenges are successful, millions of renters will be at risk of losing their homes – and with them, their ability to keep themselves and their families safe from the growing threat of the Delta COVID-19 variant. The threat of the courts overturning the national moratorium makes it even more urgent for other federal departments to use their existing authorities to keep as many renters as possible safe from eviction.

Read the letter at: <https://tinyurl.com/ua3pjty5>

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## **Emergency Rental Assistance**

### **U.S. Attorney General Garland Meets with State Supreme Court Justices to Encourage ERA Awareness-Raising and Eviction-Diversion Strategies**

Attorney General Merrick Garland and Associate Attorney General Vanita Gupta [met](#) on August 11 with more than 35 state supreme court chief justices to discuss the associate attorney general’s [June 24 letter](#) urging state courts to raise awareness of emergency rental assistance (ERA) programs and to implement eviction-diversion efforts in their jurisdictions.

Addressing the great threat of evictions at a time when the COVID-19 Delta variant is surging, Attorney General Garland thanked the chief justices for the efforts already undertaken, highlighting the state supreme court of Michigan, which issued an order requiring courts to stay eviction proceedings for up to 45 days to allow tenants to apply for ERA, and the supreme court of Texas, where modified eviction notices are sent to tenants to ensure sure they are aware of ERA resources available to them. Building awareness of ERA with landlords and tenants and implementing court-mandated eviction-diversion processes can increase opportunities for tenants to stay in their homes, provide landlords – particularly small-scale landlords – back-rent owed to them, and assist courts inundated with eviction filings.

A readout of the meeting can be found here: <https://tinyurl.com/ez6wxdp6>

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### **Updated NLIHC Resources Track ERA1 Spending Progress and More**

NLIHC launched a new feature on its Emergency Rental Assistance (ERA) Dashboard, the “Spending Tracker (ERA1),” which provides a snapshot of spending progress of ERA1 (ERA funds from the Consolidated Appropriations Act of 2021). The accompanying ERA1 Spending Tracking spreadsheet provides detail on spending progress for state and local programs. Additionally, NLIHC updated the ERA Dashboard to include the share of programs covering other housing-related expenses, such as relocation expenses, late fees, hotel/motel stays, and internet costs.

The ERA Dashboard's newest feature, Spending Tracker (ERA1), shows how much assistance programs have approved or paid to households based on information from the U.S. Department of the Treasury's Emergency Rental Assistance Program Monthly Compliance Report and Quarterly Reports, as well as publicly available data from program dashboards; data from communications with program administrators and advocates; and news articles. Based on NLIHC's tracking, 16.9% of ERA1 funds have been approved or paid to households as of August 11. This percentage does not account for funding expended by tribes and tribally designated housing entities because these data are not yet available from the U.S. Department of Treasury. The spending tracker will be updated weekly and will eventually account for ERA2, or ERA funds from the American Rescue Plan Act. The tracker links to an ERA Spending Tracking spreadsheet, where more disaggregated spending data can be found.

NLIHC also updated the ERA Dashboard to delineate which programs are covering other housing-related expenses, including relocation expenses, late fees, hotel/motel stays, internet costs, and uncategorized housing expenses. NLIHC identified that 47% of programs are using ERA for at least one type of other housing expense, with internet costs being the most common, followed by relocation expenses. Below the dashboard, users can also see if their local programs are explicitly covering each type of expense.

If you have any questions about the data, or if you know about any dashboards that are not on NLIHC's list, email: [research@nlihc.org](mailto:research@nlihc.org)

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## **Watch Recordings of NLIHC's ERASE Webinars on Making ERA Programs Visible, Accessible, and Preventing Evictions**

NLIHC's End Rental Arrears to Stop Evictions (ERASE) three-part webinar series on ensuring ERA programs are visible, accessible, and preventing evictions concluded on August 11. Webinar recordings are available [here](#). The webinars provide emergency rental assistance (ERA) program administrators, state and local partners, and community stakeholders with tools and best practices to ensure that ERA reaches households experiencing the worst impacts of the pandemic – including households of color, people with disabilities, and immigrant communities – in time to prevent housing loss and eviction.

Each webinar addresses one core focus area of the ERASE call to action:

- **Webinar 1: “Visible: Ensuring Equitable Outreach, Marketing and Targeting of Emergency Rental Assistance”**
- **Webinar 2: “Accessible: Creating Flexible, Streamlined and Low-Barrier Application Processes”**
- **Webinar 3: “Preventive: Connecting Emergency Rental Assistance to Courts and Tenant Protections”**

Watch the webinars at: <https://nlihc.org/covid-19-working-groupcalls>

## **Coronavirus, Disasters, Housing, and Homelessness**

### **Register for NLIHC/PAHRC Webinar Series on Federally Assisted Housing and Natural Hazards**

NLIHC and the Public and Affordable Housing Research Corporation (PAHRC) are hosting a two-part webinar series on their recent report, [Taking Stock: Natural Hazards and the Federally Assisted Housing Stock](#). The



webinars will take place August 25 and September 15 from 1-2:30 pm ET. Register for the webinar series [here](#) and read the report [here](#).

**Webinar 1: “Assessing Vulnerability to Disaster in the Federally Assisted Housing Stock,”** August 25 at 1-2:30 pm ET

The frequency, intensity, and damage caused by climate-related disasters is increasing. These disasters place a greater burden on low-income households, especially those that depend on federal rent subsidies. These households likely do not have the resources to evacuate in the face of danger or rebuild in the aftermath of a loss. The webinar will discuss the vulnerability of the federally assisted housing stock and its residents to climate disasters and share examples of community-wide disaster planning and mitigation strategies. The webinar will also explore opportunities at the federal level for improving planning, mitigation, and recovery policy as it relates to the federally assisted stock.

Confirmed speakers include:

- Kelly McElwain, research analyst III, PAHRC, co-author of the report
- Joshua Galloway, senior project manager, New Ecology
- Zoe Middleton, former Southeast Texas director, Texas Housers
- Noah Patton, housing policy analyst, NLIHC

Register at: <https://bit.ly/3fUHBTe>

**Webinar 2: “Disaster Planning and Mitigation for Affordable Housing Organizations,”** September 15 at 1-2:30 pm ET

Nearly one-third of federally subsidized rental homes are highly vulnerable to negative impacts from natural hazards. How can affordable housing providers prepare? This webinar will discuss how affordable housing organizations can develop a disaster preparedness plan and share examples of mitigations that can be adopted by housing providers to reduce vulnerability to extreme weather, adapt to climate change, and prepare for a potential power outage.

Confirmed speakers include:

- Keely Stater, director of research and industry intelligence, PAHRC, co-author of the report
- JB Smith, senior risk control consultant, HAI Group

Register at: <https://bit.ly/3fUHBTe>

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## **Additional Coronavirus Updates – August 16, 2021**

### **NLIHC Resources**

- [Federal Eviction Moratorium: FAQ for Renters](#) – Updated
- [Overview of Federal Eviction Moratorium](#) – Updated

### **National Updates**

*Centers for Disease Control and Prevention (CDC)*



The CDC order on the new eviction moratorium was posted to the [Federal Register](#). Access the [CDC declaration form](#) in English and several other languages.

### *Advocacy and Research*

The National Alliance to End Homelessness has published a series of [case studies](#) on noteworthy hotels-to-housing initiatives across the country. Each case study provides an overview of funding sources that were used, the administrative approach that guided the project, and an assessment of the success factors and lessons learned.

The National Alliance to End Homelessness released a [research brief](#) providing an overview of Economic Impact Payments and the Child Tax Credit. The brief offers guidance on how families can access these benefits and provides an interactive demonstration of the potential economic benefit they can bring to families, including people experiencing homelessness.

The [National Consumer Law Center](#) explains the implications of the Consumer Financial Protection Bureau's (CFPB) "[Rental Reporting Bulletin](#)" released on July 1. This article outlines key aspects of the bulletin, highlights important implications for practitioners representing renters, and discusses how it supports states' ability to enact protections related to tenant screening.

### *Reporting*

NLIHC President and CEO Diane Yentel joined the [Cross Connection with Tiffany Cross](#) on August 7 to discuss the new eviction moratorium and the urgent need for states and localities to do more to quickly distribute emergency rental assistance (ERA) to millions of renters facing eviction.

NLIHC's Diane Yentel spoke to [CBS News](#) to share important information for renters at risk of eviction. She urged renters to apply for emergency rental assistance (ERA) immediately since it may take time for that money to reach them.

[NPR](#) discusses the new CDC eviction moratorium and the Biden administration's efforts to push state and local governments to reduce burdensome documentation requirements and ensure emergency rental assistance (ERA) funds reach tenants. NLIHC's Diane Yentel explained that some communities are struggling with capacity and continue to impose lengthy application processes with undue documentation requirements.

[Politico](#) reports the Biden administration's decision to reinstate the CDC eviction moratorium marked a major political loss for the National Association of Realtors and its housing industry allies who each year donate millions of dollars to candidates in both parties and often win policy fights. NLIHC's Diane Yentel says realtors, home builders, and apartment associations wasted millions of dollars and goodwill "in a public fight to allow landlords to evict struggling tenants during a historic and deadly global pandemic." She added, "these trade associations painted their members in the worst possible light, all while failing over the last year to achieve their goal of overturning the moratoriums."

NLIHC Vice President of Public Policy Sarah Saadian spoke to the [Hill](#) about the need for state and local governments to improve the distribution of emergency rental assistance (ERA) by making their programs visible and accessible, highlighting that some cities and states are imposing additional requirements beyond those set by the federal government.

The [Associated Press](#) spotlights California's Project Homekey, a statewide program started in June 2020 to repurpose vacant hotels, motels, and other unused properties as permanent supportive housing. California spent \$800 million – most of it from federal coronavirus relief funds – on Homekey in 2020 to provide shelter for 8,200 people. The administration plans to spend an additional \$5.8 billion of state and federal funds over two years to expand the program and create an estimated 42,000 housing units.

The [Washington Post](#) reports that a group of real estate and landlord groups, including the Alabama Association of Realtors and its counterpart in Georgia, asked a federal judge in D.C. to halt the new eviction protections issued by the Centers for Disease Control and Prevention (CDC). [Note: the judge later rejected their request, upholding the moratorium.]

[Politico](#) reports that in response to a lawsuit brought by the Alabama and Georgia chapters of the National Association of Realtors, the Department of Justice (DOJ) on August 6 urged a federal court to keep the new eviction moratorium in place. DOJ lawyers highlighted that “the trajectory of the pandemic has changed dramatically as a result of the highly contagious Delta variant.”

[Bloomberg](#) discusses the Biden administration’s continued push for states and localities to accelerate the distribution of billions in emergency rental assistance (ERA). While several states have made significant progress in the last month, others, like New York, continue to lag. The Treasury Department [published](#) on August 4 examples of simplified eligibility forms pulled from successful programs across the country and urged ERA program grantees to adopt best practices.

The [New York Times](#) reports many local governments and courts did not know how to apply the extension of the CDC eviction moratorium, causing dockets in some places – such as Clark County, Nevada – to overflow with evictions.

The [19th](#) examines how the looming eviction crisis could hit the LGBTQ+ community hard. LGBTQ+ people, who are already more likely to experience housing insecurity, may face unique barriers to accessing federal rent relief.

Eric Dunn of the National Housing Law Project wrote an article in [Shelterforce](#) outlining steps state and local governments can take to stop mass evictions and facilitate housing stability in a longer-term transition out of the pandemic emergency.

## State and Local News

### *California*

[The Guardian](#) reports most applicants to California’s rental assistance program have not yet received assistance. As of last week, 132,000 people had submitted initial applications, 91,000 had completed applications, and 20,000 – just 22% – have received rental assistance. The state has distributed a total of \$242 million (about 23%) of the funds requested so far. These data do not include local rental assistance programs.

### *Connecticut*

[Judges in Connecticut](#) signed orders allowing state marshals to evict tenants during the two days in which the federal eviction moratorium was lifted. Nearly all of the 154 evictions granted during the two-day lift were in high-poverty communities of color.

### *Delaware*

After being temporarily offline for a software system update, the Delaware Housing Assistance Program (DEHAP) application portal [reopened](#) on Thursday, August 12. More information on the update is available [here](#). The site includes [FAQs about the update](#) and information about what [landlords](#) and [tenants](#) can do to get ready for the new portal.

### *Florida*

An [ABC Action News](#) I-Team investigation reveals renters are being evicted while waiting for aid from Florida’s rental assistance program. Florida has distributed less than 3% of the \$871 million it received in federal emergency rental assistance.

## *Illinois*

Governor J.B. Pritzker's administration will launch a [\\$60 million court-based assistance program](#) on September 1, one day after Illinois' eviction moratorium ends. The program will allow judges to direct individuals involved in eviction proceedings to the financial and legal assistance. Bob Palmer from Housing Action Illinois says this additional opportunity for tenants to receive emergency rental assistance (ERA) could help those who face technological, language, and other barriers to accessing ERA. A court-based program is one of the recommendations Housing Action Illinois made to state officials early in the pandemic.

## *Maryland*

Tenants from two predominantly Latino communities in Maryland filed complaints against their landlords, citing [illegal water fees and unsafe and discriminatory housing practices](#).

## *Minnesota*

Minnesota's eviction moratorium "off-ramp" plan started on July 14, meaning landlords could start filing evictions if tenants violated their lease agreements. Data from the Minnesota Judicial Branch indicates [149 eviction complaints](#) were filed in the first 10 days. Eviction filings continue to increase each week.

Starting this September, [85 AmeriCorps members](#) will join nonprofits and counties across Minnesota to support a new program designed to help people who are at risk of or experiencing homelessness. The Heading Home Corps seeks to support nonprofits with the additional staffing needed to connect Minnesotans to services.

## *Missouri*

[NPR's](#) Ari Shapiro spoke with a housing attorney in Missouri about the new eviction moratorium and the status of emergency rental assistance distribution across the state.

## *New Mexico*

Despite eviction bans, New Mexico landlords and property managers have filed [more than 11,000 eviction notices](#) since April 2020. A seven-month *Searchlight New Mexico* investigation found that hundreds of tenants in Albuquerque alone were evicted or threatened with eviction during the first four months when the CARES Act eviction moratorium was in effect. The largest share of evictions was carried about by a small fraction of landlords.

## *New York*

The New York congressional delegation sent a [letter](#) to the New York Office of Temporary and Disability Assistance (OTDA) expressing dire concern over the department's continued lack of emergency rental assistance (ERA) distribution. The members of Congress urge OTDA to address roadblocks in the program and adopt best practices to ensure ERA is distributed as effectively and efficiently as possible.

## *North Carolina*

The [Burlington Times-News](#) outlines what tenants in Alamance County should do if they are at risk or already facing an eviction. The article urges tenants to submit an [eviction declaration form](#) and apply for North Carolina's [Housing Opportunities and Prevention of Evictions \(HOPE\) Program](#). Tenants seeking legal assistance from Legal Aid of North Carolina should [apply online](#) or by calling the Legal Aid helpline at 1-866-219-5262.

## *Oklahoma*

Tulsa’s Landlord-Tenant Resource Center and the Tulsa County District Courts are [collaborating](#) to provide eviction prevention information to individuals as they begin the court process.

### *Pennsylvania*

The [Philadelphia Inquirer](#) reports Philadelphia has received more than 45,000 rental assistance applications as of August 6, more than twice the maximum number of renters the city expects to be able to help with this round of funding. About 9,100 households have received funds, and an additional 1,000-plus have been approved. More than 20,000 applications are pending review.

Effective August 14, [Philadelphia landlords](#) are prohibited from locking tenants out of their homes if their pending rental assistance applications have been marked “complete.” According to the city, more than 25,000 applications are marked as completed, and more than 37% of applications are marked incomplete, which requires applicants to resubmit documents.

### *South Dakota*

As of August 5, about half of [South Dakota counties](#) are protected by the new federal eviction moratorium as 96% of the state’s federal emergency rental assistance remains unspent. According to data from July 30, the South Dakota Housing Development Authority has been allotted \$319 million in rent relief but has only distributed \$12.9 million or 4% of it.

### *Texas*

[Spectrum News](#) reports Texans are still receiving eviction notices despite the new eviction moratorium. Eviction Lab data show evictions are much higher in Texas cities without local eviction protections than those that have moratoriums in place. While Austin does have stricter renter protections, some tenants are still getting eviction notices.

### *Wisconsin*

[Evictions in Wisconsin](#) dipped due to the federal eviction moratorium, but attorneys with Legal Action of Wisconsin are bracing for a [surge of evictions](#) when the moratorium expires. *PBS* highlights the power imbalance between tenants and landlords, highlighting the need for tenants to have access to legal aid. [Milwaukee County](#) is seeking to address this imbalance by establishing a [six-month right to counsel pilot program](#), which is set to launch on September 1.

## **Guidance**

### *Department of Housing and Urban Development*

- [COVID-19 Homeless System Response: Carrying Out Coordinated Entry Activities Under the ESG Program](#) – August 2021
- [COVID-19 Homeless System Response: Emergency Housing Vouchers \(EHVs\) Funding Briefs](#)
- [COVID-19 Homeless System Response: EHV Funding Briefs – CoC Rapid Rehousing \(RRH\)](#) – August 6, 2021
- [COVID-19 Homeless System Response: EHV Funding Briefs – Permanent Supportive Housing \(PSH\) and Supportive Services](#) – August 10, 2021

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## **Disaster Housing Recovery Updates – August 16, 2021**

The NLIHC-led Disaster Housing Recovery Coalition convenes and supports 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](#).

## **Federal Response**

### *Biden Administration*

President Biden on August 5 approved more than [\\$3.46 billion](#) to increase strategies to address to the impact of climate change nationwide. [FEMA's Hazard Mitigation Program](#) provides funding to states, tribes, and territories for mitigation projects to reduce the impact of climate change.

### *Department of Housing and Urban Development (HUD)*

HUD awarded [\\$5.5 million](#) in new federal disaster aid to help Midland, Michigan recover from the severe storms and floods in May 2020. The new Community Development Block Grant Declared Disaster Recovery Fund (DDR) money will help Midland communities rebuild and become more resilient to future disasters. Midland experienced historic flooding in May 2020 that destroyed homes and forced thousands of residents to evacuate.

## **Hurricanes**

An op-ed in the [Louisiana Illuminator](#) discusses the devastating impact of extreme weather on homelessness, highlighting how thousands of Lake Charles residents were left homeless after Hurricane Laura destroyed homes and how renters faced mass evictions due to unlivable conditions and the need for housing repairs.

## **Severe Heat**

The [Nevada Current](#) reports on efforts to protect unhoused individuals in Southern Nevada from the increasing frequency of extreme heat. Clark County is updating its emergency response plans to better address extreme weather like massive and prolonged heat waves. A new study from the Regional Transportation Commission of Southern Nevada (RTC) may shed light on how the extreme heat has impacted the region's most vulnerable individuals. The Extreme Heat Vulnerability Project takes into consideration homelessness and uses data from the 2019 Homeless Census within its analysis. While the final report will not be published until October, the RTC recently published [preliminary findings](#).

With the National Weather Service issuing an excessive heat watch for parts of Central Oregon, members of the [Homeless Leadership Coalition](#) are organizing to [support unhoused individuals](#) and others in need with cooling centers throughout the region.

## **Wildfires**

The Dixie Fire – California's largest single wildfire in recorded history – has continued to grow after [destroying nearly 550 homes](#) as of August 11. The fire has destroyed at least 1,045 buildings, more than half of them homes in the northern Sierra Nevada.

[NPR](#) reports that the Dixie Fire poses a dire threat to small communities, having devastated the town of Greenville in Plumas County last week. Greenville resident Margaret Elysia Garcia, who wrote a eulogy for her town, said the scale of loss extends beyond individual homes. Garcia explained that rebuilding will be a challenge, noting that many residents lost their fire insurance after the Camp Fire destroyed the town of Paradise three years ago.

Organizers in King County and across the state of Washington are preparing for a massive [distribution of N95 masks](#) to unhoused people amid the unsafe air conditions. Advocates say Seattle and King County officials have not been transparent in announcing the location of safe air shelters or other plans to protect people experiencing homelessness as wildfire smoke creates unsafe air conditions.

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## **Fannie Mae**

### **Fannie Mae to Consider Rental Payment History in Underwriting Process**

The Federal Housing Finance Agency (FHFA) [announced](#) on August 11 that Fannie Mae, one of the government sponsored entities (GSEs) FHFA oversees, will consider rental payment history in its risk-assessment processes for prospective homebuyers. This change to Fannie Mae's system will allow future borrowers to benefit from having their positive rental payment history being considered in loan underwriting decisions. No additional burdens on the borrower or the lender will be required to make use of this feature.

Starting September 18, Fannie Mae will allow lenders (with the borrower's permission) to use bank account data to identify 12 months of consistent rent payments. This action cannot hurt renters' credit scores and will only be used to help eligible homebuyers qualify for mortgage credit. Any records of missed rent payment identified in the data and not already reflected on the applicant's credit report will not negatively impact their ability to qualify. This change marks the first time any large-scale automated mortgage underwriting system will leverage electronic bank statement data to consider positive rent payment history.

In a [blog post](#) discussing the update, Fannie Mae CEO Hugh Frater said this change is an important step toward creating a more equitable housing market by using technology and data to remove systemic barriers to obtaining a mortgage. For many low-income renters – particularly Black families and other people of color – one of the primary obstacles to qualifying for a mortgage is insufficient credit history. People of color are disproportionately represented among the 20% of the U.S. population that have little or no credit history. Fannie Mae's *National Housing Survey* found that Black consumers (29%) are more likely to say insufficient credit scores or credit history is their primary obstacle to getting a mortgage compared to white consumers (18%). Frater says this change to Fannie Mae's system will help correct these housing inequities.

“For many households, rent is the single largest monthly expense. There is absolutely no reason timely payment of monthly housing expenses shouldn't be included in underwriting calculations,” said FHFA Acting Director Sandra Thompson. “With this update, Fannie Mae is taking another step toward understanding how rental payments can more broadly be included in a credit assessment, providing an additional opportunity for renters to achieve the dream of sustainable homeownership.”

Read the FHFA announcement at: <https://tinyurl.com/unjkv9kw>

Read the Fannie Mae blog post at: <https://tinyurl.com/edz7dzsk>

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## **Opportunity Starts at Home**

### **New Study: Housing is Important for Heart Health**

A recent [study](#) conducted by the American Heart Association finds that housing is an important determinant of cardiovascular health and well-being, making the case that housing should be considered in efforts to eliminate racial, ethnic, and socioeconomic disparities. The study finds that adults experiencing homelessness have 60-70% higher rates of cardiovascular events compared with the general population. The study also links housing



segregation to an increased incidence of cardiovascular disease among Black adults and found higher rates of hypertension and hypercholesterolemia in Latino neighborhoods at high risks of foreclosure.

“Cardiovascular disease is the leading cause of death in the United States,” write the [Urban Institute](#) authors in a review of the study. “It disproportionately affects people of different races and ethnicities and vulnerable and underserved people. A recent study analyzed evidence connecting cardiovascular health to one social determinant: housing.”

The American Heart Association is a member of the *Opportunity Starts at Home* multi-sector affordable homes campaign.

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](#).

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## Research

### Study Demonstrates Importance of Proactive Rental Inspections

An article in *Urban Studies*, “[The three tenures: A case of property maintenance](#),” examines differences in the maintenance of owner-occupied homes, rental properties with resident landlords (who occupy one of the units), and properties with absentee landlords. The authors find that in 2017, code violations were about twice as common in small rental properties with absentee landlords than in small properties with resident landlords. Examining differences among absentee landlords, the authors find no evidence that landlords who use limited liability companies (LLCs) had worse maintenance records, but properties handled by professional management companies did have more problems. They argue these findings underscore the importance of regular, proactive rental inspections.

The study focuses on Rochester, New York, because the city proactively inspects rental properties with three or more units every three years and all other rental properties every six years, which makes inspection results a more reliable indicator of property maintenance. From a public database, the authors drew property assessment records and building inspector reports for 2017, and the city of Rochester provided 2011 data for longitudinal comparisons. These records include street address, address of the property owner or manager, the property’s assessed value, the number of units in the property, and the number of housing code violations.

The authors classified the properties into three tenure categories: owner-occupied, resident landlord, and absentee landlord. They identified 27,900 owner-occupied single-family homes, 3,000 buildings with two to six units that were owned by resident landlords, and 22,200 properties with one to six units that were owned by absentee landlords. Looking at absentee landlords, they attempted to distinguish rental properties owned and managed by private individuals, investors who use LLCs, and properties handled by professional management companies. They restricted their focus to small properties with six or fewer units because resident landlords were exceedingly rare in larger properties.

Only 4% of owner-occupied properties had one or more unresolved code violations, compared to 13.5% of properties with resident landlords, 25.2% of single-unit homes owned by absentee landlords, and 27.1% of multi-unit buildings with absentee landlords. The lower rate for owner-occupied properties likely reflects there is not a proactive inspection policy for such homes. The authors argue that resident landlords in small properties are likelier to have closer relations with their tenants and be more responsive to their concerns, which could



influence property maintenance in those buildings. Resident landlords can apply for exemption from inspections of the units they themselves occupy, which might lower code violations considerably in duplexes with resident landlords. When looking at properties with three to six units, properties with resident landlords had higher violation rates than properties with absentee owners.

Property values made an important difference to the rate of code violations—the rate in absentee-owned single-unit properties ranged from 49% in the cheapest homes to just 14% in the most expensive. Controlling for value, tenure differences are reduced. This analysis cannot identify whether absentee landlords are more likely to buy cheaper properties that require more maintenance or whether their business plans involve less investment in maintenance.

The authors used 2011 data to track changes in tenure and ownership. In single-unit properties where the owner changed from being an absentee landlord in 2011 to being an owner-occupier in 2017, the code violation rate in 2017 was 12.6%, higher than all owner-occupied homes but lower than absentee-owned single dwellings. Among properties that switched from owner-occupied to absentee-owned rentals, the code violation rate was 21.1%, approaching the level of all absentee-owned properties. The authors infer that changes in tenure made a difference to property maintenance.

The authors found no evidence that the use of an LLC affected property maintenance, as code violation rates for such properties were similar to those of all other absentee landlords. Because LLCs offer investors a way to hide their identity and limit legal liability, however, the authors caution that further research on the impact of LLCs is needed.

The analysis did find that small properties handled by property management companies had a higher rate of code violations—38.2% of such properties had one or more unresolved code violations, about one and a half times as high as that of all absentee landlords managing their own properties. A forthcoming paper will explore the demographic dimensions of this problem, as the authors found the difference was largely found in Black neighborhoods.

Finally, to estimate the significance of frequent, proactive inspections, they compare code violations for two- and three-unit properties with resident landlords. Two-unit properties with resident landlords are only subject to inspection every six years, and 11.5% of these properties had one or more unresolved violations. Three-unit properties, subject to inspection every three years, had a higher rate: 31.3% had an unresolved violation. One possible explanation is that frequent inspections identify problems that otherwise go unaddressed.

Find the paper here: <https://bit.ly/2VGTgOs>

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## **Case Study Documents Pre-Disaster Planning Challenges for Public Housing Recovery**

The Natural Hazards Center published a new article as part of its “Mitigation Matters” research brief series. [“Pre-Disaster Recovery Planning for Public Housing in Salt Lake County, Utah,”](#) a case study, examines post-disaster housing plans, planning motivation, challenges, opportunities, and coordination between various entities as they relate to pre-disaster recovery planning for public housing in Salt Lake County, Utah. A lack of pre-disaster assessments, poor coordination and information-sharing, inadequate funding, leadership problems, and issues with trust were all challenges for successful pre-disaster recovery planning and post-disaster rehousing of public housing residents.

The article cites research finding that Salt Lake County has a 57% probability of experiencing 6.75 magnitude earthquake sometime in the next 50 years. One scenario modeling a 7.0 magnitude earthquake in the region

predicted almost 263,300 people could be displaced. Public housing residents are particularly vulnerable to negative impacts from such disasters.

The authors, Sayma Khajehei and Divya Chandrasekhar, used a combination qualitative research techniques including archival research and semi-structured key informant interviews with ten local emergency management, city planning, and housing officials to conduct the case study. They found that Salt Lake County and its localities had not developed a stand-alone plan for housing recovery in their disaster preparedness and response plans. The authors also observed:

- Lack of adequate or dedicated funding for pre-disaster planning
- Lack of knowledge among housing authorities about the potential scale of displacement
- Insufficient planning for how to implement post-disaster shelter needs assessments for displaced public housing residents
- Limited opportunities for coordination between public housing agencies and other housing-related entities
- Little motivation among local leaders to plan ahead

The authors concluded Salt Lake County is generally unprepared to house displaced public housing residents after a disaster. They recommended that communities in Salt Lake County better promote pre-disaster recovery planning for public housing through dedicated funding for planning, joint planning, engagement with diverse communities, and public education about the importance of public housing recovery.

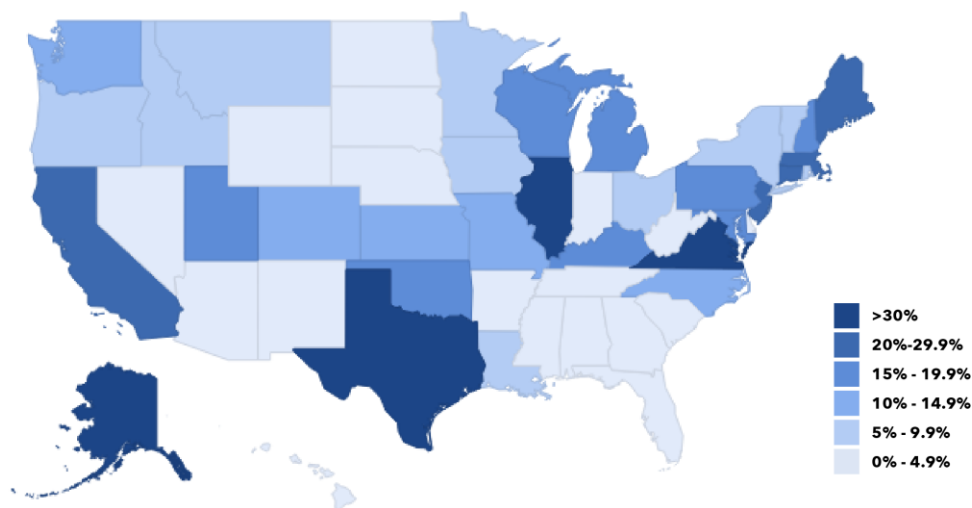
“Pre-Disaster Recovery Planning for Public Housing in Salt Lake County, Utah” is at: <https://bit.ly/3shlIm0>

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## Fact of the Week

### **Eighteen State Emergency Rental Assistance Programs Have Disbursed Less Than 5% of Initial Funding**

#### **Projected Percent of ERA1 Funds Obligated or Spent by State Programs**



Sources: (1) U.S. Department of the Treasury's Emergency Rental Assistance Program Monthly Compliance Report and Quarterly Reports, (2) publicly available data from program dashboards, (3) data from communications with program administrators and advocates, and (4) news articles. Visit <https://bit.ly/3CyuaBS> for more information.

Note: Data are current as of August 11, 2021.



Sources: (1) U.S. Department of the Treasury's Emergency Rental Assistance Program Monthly Compliance Report and Quarterly Reports, (2) publicly available data from program dashboards, (3) data from communications with program administrators and advocates, and (4) news articles. Visit <https://bit.ly/3CyuaBS> for more information.

Note: Data are current as of August 11, 2021.

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## From the Field

### Puerto Rico Advocates Urge Governor to Sign Disaster Housing Recovery Bill

Housing advocates in Puerto Rico successfully advocated passage of disaster housing recovery legislation and emergency rental assistance during their most recent state legislative session. At the beginning of 2021, Ayuda Legal Puerto Rico (Ayuda Legal PR), a non-profit organization in Puerto Rico that provides legal assistance to low-income individuals, introduced its first bill by petition, House Bill 488 (PC 488)/Senate Bill 199 (PS 199). Previously, Puerto Rico tenants and homeowners had few protections during and after a disaster. The legislation would be the first of its kind in Puerto Rico to acknowledge that housing is a human right and entitle disaster victims to fair and equitable housing recovery resources.

PC 488/PS 199 is comprised of three main components that aim to protect homeowners and renters after a disaster. The legislation bans evictions and foreclosures on public and private housing and residential mortgages during and after a disaster. It would place a moratorium on rent and mortgage payments for up to 90 days after a major disaster or emergency, such as the COVID-19 pandemic. The also provides protections for renters and homeowners that experience rights violations by homeowners and banks, such as intimidation tactics used to take away someone from their home during a disaster. While the bill includes language specific to the needs of Puerto Rico, the legislation could be a model for other U.S. states and territories that struggle with housing recovery after disasters.

During Puerto Rico's last legislative session, Ayuda Legal PR's advocacy played a big role in both the chambers of Puerto Rico's legislature approving the legislation. While Governor Pedro Pierluisi did not sign the legislation during this session he is expected to do so during the next legislative session, which begins on August 16.

In addition to the advocacy around PC 488/PS 199, Ayuda Legal PR had successfully advocated the opening of Puerto Rico's rental assistance program. Because of this important advocacy work, the Puerto Rican government requested \$325 million in federal funds for rental assistance, which will help many tenants in economic crisis. This assistance will include back rent and past due electricity and water expenses as far back as April 2020 or up to 15 months; current rent until December 2021 without exceeding 15 months of rent; and reasonable expenses for surcharges due to arrears for the months eligible for payment of back rent.

Access more information about Puerto Rico's rental assistance program at: <http://www.ayudaparaturenta.com>

To follow Ayuda Legal Puerto Rico's advocacy efforts, visit: [ayudalegalpr.org](http://ayudalegalpr.org)

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## NLIHC News

## NLIHC in the News

### NLIHC in the News for the Week of August 8

The following are some of the news stories that NLIHC contributed to during the week of August 8:

- “Eviction moratorium: How it could affect millions and where to seek additional aid,” *Yahoo Finance*, August 8 at: <https://yhoo.it/3jQgDgD>
- “This map shows how much rental assistance states have distributed,” *CNBC*, August 11 at: <https://cnb.cx/3fUElXS>
- “After 8 months, cities and states are still sitting on rental aid,” *Huff Post*, August 11 at: <https://bit.ly/3iBPn5T>

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### NLIHC Staff

Olivia Arena, Housing Advocacy Organizer, x209  
Xavier Arriaga, Policy Analyst, x231  
Andrew Aurand, Vice President for Research, x245  
Sidney Betancourt, Housing Advocacy Organizer, x200  
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 Analyst, x249  
Dan Emmanuel, Senior Research Analyst, x316  
Ed Gramlich, Senior Advisor, x314  
Sarah Gallagher, Senior Project Director, ERASE, x220  
Patrick Hanrahan, Graphic Design/Communications Intern  
Stephanie Jean, Development Coordinator, x203  
Kim Johnson, Housing Policy Analyst, x243  
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  
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  
Brooke Schipporeit, Housing Advocacy Organizer, x233  
Sophie Siebach-Glover, Research Specialist, x205  
Lauren Steimle, Web/Graphic Design Specialist  
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

