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Eviction Moratorium

Supreme Court Invalidates CDC Eviction Moratorium, Millions of Renters Immediately at Risk

The Supreme Court, in an unsigned opinion, [ruled](#) (6-3) on August 26 to end the temporary stay on a lower court ruling seeking to overturn the federal eviction moratorium issued by the Centers for Disease Control and Prevention (CDC) on August 3. In doing so, the Supreme Court's ruling invalidates the federal eviction moratorium, eliminating vital eviction protections that have kept millions of households stably housed. The Supreme Court decision undermines historic efforts by Congress and the White House to ensure housing stability during the pandemic. State and local governments are working to improve programs to distribute [emergency rental assistance](#) (ERA) to those in need, but they need more time; the Supreme Court's decision will lead to many renters, predominantly people of color, losing their homes before the assistance can reach them.

The [case](#) to overturn the eviction moratorium was brought to the Supreme Court by the Alabama and Georgia Associations of Realtors, backed by the National Association of Realtors. Hours after the U.S. Court of Appeals for the District of Columbia Circuit [rejected](#) the Realtors' emergency motion to halt the Biden administration's new eviction moratorium, the Realtors filed an [emergency petition](#) with the Supreme Court on August 20 (*Memo*, [8/23](#)). The Department of Justice submitted to the Supreme Court its [opposition](#) to the Realtors' case on August 23, making clear that the new moratorium was needed because the trajectory of the pandemic has changed "unexpectedly, dramatically, and for the worse" from when the Supreme Court last ruled on the moratorium in [June](#). The Realtors' and the Supreme Court's actions to overturn the eviction moratorium comes as the delta variant of COVID-19 overwhelms pediatric and other hospitals in Alabama, Georgia, and throughout the country. Both Alabama and Georgia have spent less than 3% of their emergency rental assistance (ERA) funds, and many other states and cities continue to struggle to get ERA to the tenants who need it to stay stably housed.

A White House [statement](#) on the ruling made clear that the Supreme Court's decision means "families will face the painful impact of evictions, and communities across the country will face greater risk of exposure to COVID-19." The statement reiterated the Biden administration's call for all entities – from federal agencies to states and cities to local courts – to take immediate action to prevent evictions.

"The federal eviction moratorium was a lifeline for millions of families, the last remaining federal protection keeping many safely and stably housed during the pandemic. The tragic, consequential, and entirely avoidable outcome of this ruling could be millions of people losing their homes this fall and winter, just as the delta variant ravages communities and lives," [said NLIHC President and CEO Diane Yentel](#).

Our collective work to keep renters stably and safely housed is more important and urgent than ever. NLIHC is calling on the federal government, state and local governments, and ERA program administrators to take [immediate action](#) to protect renters. [Join our national call](#) today at 2:30 pm ET to hear more about immediate actions you can take to keep renters safely and stably housed.

Treasury, HUD, and DOJ Urge State and Local Government Leaders to Take Immediate Action to Prevent Evictions

Treasury Secretary Janet Yellen, HUD Secretary Marcia Fudge, and Attorney General Merrick Garland sent a [letter](#) on August 27 to state and local government leaders urging them to take immediate action to prevent unnecessary evictions during the pandemic. The letter highlights actions Treasury, HUD, and the Department of

Justice have taken to accelerate the distribution of [emergency rental assistance \(ERA\)](#) to keep people in their homes, and it urges state and local officials to enact their own policies to protect renters and landlords.

Secretaries Yellen and Fudge, along with Attorney General Garland, state that “no one should be evicted before they have the opportunity to apply for rental assistance, and no eviction should move forward until that application has been processed.” The letter urges governors, mayors, county executives, and chief justices and state court administrators to take the following urgent actions:

- Enact their own eviction moratoriums during the remainder of the public health emergency. Six states and the District of Columbia already have eviction moratoriums in effect.
- Work with state and local governments to require landlords to apply for ERA before they can initiate eviction proceedings.
- Stay eviction proceedings while ERA applications are being processed. At the same time, state and local governments must also speed the delivery of ERA.
- Use ERA and [State and Local Fiscal Recovery Funds \(“Fiscal Recovery Funds”\)](#) allocated through the “American Rescue Plan Act” to support the right to counsel and eviction diversion strategies.
- Remove unnecessary barriers to accessing ERA funds by adopting the recommendations in Treasury’s revised [guidance](#), including expediting assistance by relying on renter self-attestations without demanding further documentation.

The administration officials highlight that Congress has provided state and local governments tens of billions of dollars to support tenants and landlords through the ERA program and Fiscal Recovery Funds. Enacting the policies outlined in the letter will help ensure renters are not evicted before these resources reach them.

“With lives on the line, it is imperative that we act – at all levels of government – to keep people in their homes and prevent a surge in COVID-19, as well as the long-term economic scarring and poor health consequences that come with eviction,” the officials write. “We applaud the efforts of the state and local governments that have already taken these and other actions to prevent unnecessary evictions, as we know many of you have. However, we also know more must be done and that effective and comprehensive policies to prevent unnecessary evictions have never been more urgent.”

Read the full text of the letter at: <https://bit.ly/2XYC9Za>

Preliminary Evaluation of CDC Eviction Moratorium Shows Significant Decrease in Eviction Filings

Eviction Lab released “[Preliminary Analysis: 11 months of the CDC Moratorium](#),” an evaluation of the Centers for Disease Control and Prevention (CDC) eviction moratorium as it existed between September 4, 2020 and July 31, 2021. Using data from Eviction Lab’s [Eviction Tracking System](#) (ETS), researchers estimated that the CDC eviction moratorium alone prevented at least 1.55 million eviction filings across the country, and that state and local eviction protections prevented an additional 900,000 eviction filings throughout the country. Eviction Lab researchers observed that fewer than half as many eviction cases as normal were filed in the jurisdictions they monitored; in some jurisdictions with additional eviction moratoriums the decrease in filings was even more significant.

Despite a decrease in the number of evictions, researchers found that racial and geographic disparities in eviction patterns persisted through the moratorium. Black tenants, who bore the largest share of eviction filings before the pandemic, continued to bear the largest share of eviction filings during the eviction moratorium. Census tracts that had high rates of eviction filings before the pandemic continued to have high rates of eviction

filings during the eviction moratorium. The researchers concluded that protections afforded by the CDC moratorium helped reduce the threat of displacement broadly but did not address historical racial, gender, or geographic disparities.

Eviction Lab tracked eviction filings across 31 cities and six states. Researchers used these data as a basis for estimating eviction patterns nationally, using regression to extrapolate the data. Between September 4, 2020 and July 31, 2021 ETS tracked 368,398 eviction filings across these jurisdictions, fewer than half (47.2% fewer) of expected eviction filings during the same period in a typical year. The authors estimate that the combination of local, state, and federal eviction moratoriums prevented at least 2.45 million eviction filings since the start of the pandemic.

Tenants experienced weaker or stronger protection against eviction based on local interpretation and implementation of the CDC order. Localities that offered weaker protections—such as Las Vegas, NV and Columbus, OH—saw eviction filing rates closer to historical average. Conversely, localities with stronger protections, such as Austin, TX and the Twin Cities, MN, saw filings less than 12% of the historical average.

The CDC eviction moratorium did not change historical patterns of where evictions most often occur and what demographic groups bear a great share of evictions. [Previous research](#) found that a few Census tracts per city account for an outsized share of each city's evictions. Neighborhoods with high eviction filings prior to the pandemic tended to be the same neighborhoods that had the highest rates during the CDC moratorium. Similarly, Black renters continued to bear a greater share of eviction filings. Pre-pandemic, Black renters made up 22% of all renters tracked by the ETS but received 35% of eviction filings. During the CDC moratorium, Black renters received 33% of filings.

To better understand eviction filings during the pandemic, Eviction Lab made two significant changes to the ETS. First, Eviction Lab is now tracking how much landlords claim in back rent, late fees, and damages when filing cases. Second, ETS is now tracking which buildings in 12 cities are responsible for the most eviction filings during the pandemic. In Indianapolis, Cincinnati, and Dallas, more than one third of all pandemic-related eviction filings came from just 100 buildings.

Read the report here: <https://bit.ly/3sY9vTC>

Emergency Rental Assistance

Treasury Releases Revised ERA Guidance to Help State and Local Governments Expedite Assistance

The U.S. Department of the Treasury released on August 25 updated [frequently asked questions \(FAQs\)](#) about the [Emergency Rental Assistance \(ERA\)](#) program in order to support state and local governments in expediting the distribution of ERA to households in need. The revised FAQ provides further clarity and recommendations meant to accelerate ERA distribution, including by providing more explicit permission for ERA grantees to rely on [self-attestations](#) without further documentation. Treasury also released on August 25 updated [ERA spending data](#) through July 31 (see related article in this issue of *Memo*). The Biden administration also [announced](#) additional steps it will take to help protect and support renter households.

Based on NLIHC's ongoing tracking and analysis of [state and local ERA programs](#), including [nearly 500 programs](#) funded through Treasury's ERA program, NLIHC has continued to identify needed policy changes to ensure ERA is distributed efficiently, effectively, and equitably. Most recently, NLIHC sent a [letter](#) on July 12 to the Biden administration outlining immediate actions federal, state, and local governments must take to prevent a historic wave of housing instability this summer and fall. Treasury responded to NLIHC's concerns

about ERA programs' reliance on burdensome documentation and lengthy application processes by issuing revised guidance in [February](#), [May](#), and [June](#). As a result, Treasury has: revised guidance, streamlining ERA documentation requirements, enacted additional policy changes to accelerate ERA distribution, published examples of [simplified eligibility forms](#), and [reiterated](#) its call for ERA grantees to speed the delivery of aid by eliminating undue documentation burdens (see *Memo*, [3/1](#), [5/10](#), [6/28](#), [8/9](#)). Treasury's August 25 updated guidance provides even greater clarity and specificity concerning the use of self-attestation.

Under the new guidance:

- **Self-Attestation:** Treasury reiterates that self-attestation can and should be used regarding every aspect of a household's eligibility for ERA, including financial hardship, the risk of homelessness or housing instability, and income. State and local ERA programs may rely on self-attestation *alone* regarding income eligibility when documentation is unavailable. See NLIHC's [fact sheet](#) for more information on simplifying application processes by relying on self-attestation.
- **Advance Assistance:** State and local grantees may deliver advance assistance to landlords and utility providers based on estimated eligible arrears. Treasury established guidelines for providing a portion of estimated bulk payments to landlords and utility providers in anticipation of application and documentation requirements being satisfied within six months.
- **Partnership with Nonprofits to Deliver Advance Assistance:** State and local grantees may partner with nonprofit organizations to provide advance assistance to households at risk of eviction while their ERA applications are being processed. A grantee must receive all required application and eligibility documentation within six months.
- **Additional Rent Payments:** State and local grantees may provide additional rent payments to landlords that enter into leases with tenants facing significant barriers to securing housing, including those who have been evicted, experienced homelessness, aged out of foster care, or were convicted of a criminal offense or released from incarceration in the past year.
- **Past Arrears at Previous Addresses:** To remove barriers a household may face in obtaining new housing, ERA grantees may – at a tenant's request – provide assistance to cover past rent and utility arrears at the tenant's previous address. As a condition for receiving payment, Treasury strongly encourages grantees to require the landlord or utility provider to agree not to pursue any further collection efforts, ensure that any credit reports confirm the matter's resolution, and notify the tenant that payment has been received and there will be no further collection efforts.
- **"Rent bonds:"** A tenant's costs associated with obtaining a hearing or appealing an eviction may be covered with ERA as an eligible "other expense."

Building on the Biden administration's all-of-government approach to prevent evictions, the White House released a [fact sheet](#) announcing new actions the administration will take to help protect tenants and landlords, including:

- The [U.S. Department of Agriculture \(USDA\)](#) will work with owners of USDA-backed multifamily properties to mitigate pending evictions, including by: allowing property owners waiting for ERA resources to access reserves for operating shortfalls, providing financial incentives to property managers that use ERA to address arrears, and conducting outreach about ERA to local leaders and public housing agencies (PHAs).
- HUD will ensure tenants in public housing and project-based rental assistance properties first have the opportunity to access ERA before facing eviction. HUD will extend the eviction notice period from 14 to 30 days during the COVID national emergency period, consistent with CARES Act protections.
- The [U.S. Department of Veterans Affairs](#) will expand rental support to at-risk veterans and their families from just seven states to all 50 states and the U.S. territories.

- The Department of Health and Human Services (HHS) and other federal agencies will leverage their networks to spread awareness about ERA, following up on the Biden administration’s [July 28th call to action](#).

Read Treasury’s revised ERA FAQ at: <https://bit.ly/3sOFu8w>

Read Treasury’s press release at: <https://bit.ly/3jlvdOe>

Read the White House statement, “Biden Administration Take Additional Steps to Prevent Evictions as the Delivery of Emergency Rental Assistance Continues to Increase,” at: <https://bit.ly/3gy8oVq>

July Treasury Data Reveals ERA Spending Remains Low

The U.S. Department of the Treasury released updated [Emergency Rental Assistance \(ERA\) spending data through July 31](#), revealing that an additional \$1.68 billion in ERA funding was spent in July, bringing the total ERA spent to just over \$5 billion. After steady increases in ERA spending rates from January through June, the amount spent in July only grew slightly, increasing from \$1.53 billion in June to \$1.68 billion in July. A total of \$4.7 billion in assistance has been paid to households and a total of \$5.2 billion has been expended, including administrative costs and housing stability expenditures.

Fewer than half of the households who have applied for ERA have been served through the program. By June 30, 2.3 million households had applied for ERA, but by the end of July, only 984,352 had received assistance. These numbers confirm that backlogs in application processing are slowing the disbursement of ERA funding. The 2.3 million households who have applied for assistance is also far less than the estimated [6.5 million households](#) behind on rent, pointing to the continued need for robust ERA outreach efforts.

States, whose allocations account for approximately \$18 billion of the \$25 billion, spent only 16% of their funding by July 31. States vary widely, however, in their success getting funds out the door. Virginia, Texas, and the District of Columbia are leading fund distribution, having spent 54%, 47%, and 45% of their allocations, respectively. Several states also saw significant increases in their fund distribution from June to July, including California, North Carolina, and New Jersey. Many states continue to lag behind, with 16 states having spent less than 5% of their allocation by the end of July. Some states, however, have since reported significant increases in spending. New York, for example, distributed an [additional \\$200 million](#) between the end of July and August 23.

Per household spending varies widely across states, but states average approximately \$5,000 per household. Initial numbers from New York show that it has the highest average spending per household at \$14,700, followed by New Jersey (\$8,679) and Illinois (\$8,473). Arizona has the lowest spending, averaging \$945 per household, followed by North Dakota (\$1,484) and Vermont (\$1,870). States with low household payouts and low spending rates should consider applying the allowable three months of future rent payments to all eligible households in order to ensure housing stability and increase fund distribution.

Localities continue to spend down their funds more quickly than states, increasing their spending from 20% to 30% of the total allocation between June and July. Despite this, 26 localities still have not begun distributing ERA1 funds.

NLIHC tracks ERA spending in real-time on the [ERA Dashboard](#) and [Spending Tracker](#). These resources have been updated to include the most recent Treasury numbers. This tracking also includes real-time data from program dashboards and program administrators to provide a closer estimate of how much ERA funding has been obligated to date. As of August 26, NLIHC is tracking \$6.49 billion in obligated funds.

Disaster Housing Recovery

Hurricane Ida Slams into Southeast Louisiana Coast, Widespread Damage Reported

Hurricane Ida slammed into the Southeast Louisiana coast as a major Category 4 hurricane on August 29, causing [catastrophic damage](#) sixteen years to the day that Hurricane Katrina devastation brought to the area. President Biden [declared](#) a major disaster covering the entire southeastern region of Louisiana, activating FEMA assistance for impacted households. Now a tropical storm, Ida is continuing to move northward over Mississippi.

Ida's landfall followed a chaotic period of preparation and evacuation as those seeking to leave the region snarled traffic and those unable to leave hunkered down for what could be the most severe hurricane to hit the region in decades. Emergency Management personnel reported widespread structural damage as far north as Baton Rouge. The city of New Orleans – which was inundated by stormwaters from Hurricane Katrina – appeared to fare well during the storm thanks to an advanced flood control system constructed after the famous storm. Other areas did not appear as lucky. For example, levees in LaPlace Parish were overtopped, causing families to report via social media that they climbed on rooftops to escape rapidly rising water. Levees also failed in Plaquemines Parish causing officials to order evacuations early this morning. Virtually all of New Orleans and much of the surrounding suburbs are currently expected to remain without power for days, or even weeks. Coastal areas such as Terrebonne and Jefferson Parish experienced 100 mph winds for several hours on Sunday.

New Orleans officials stated that the storm threat emerged too quickly for them to implement measures necessary for a mandatory evacuation and called for residents to shelter-in-place as the storm passed. Teams from homeless service organizations were out on the street bringing individuals experiencing homelessness into [shelters](#). The city had activated an overflow shelter for individuals experiencing homelessness prior to the storm. Still, news coverage showed numerous individuals experiencing homelessness riding out the storm on the street. Individuals with disabilities were frustrated by the early closure of the region's accessibility transit services and a lack of accessible vehicles because FEMA activated emergency government contracts, taking control of many much needed accessible vans.

One reason for the lack of rapid weakening that typically follows a hurricane's landfall is the [degradation](#) of Louisiana's tidal areas, which typically act as a sponge for storm waves and prevent access to the warm waters needed by hurricanes. The lack of tidal areas meant the hurricane had access to warmer water for longer, increasing the storm's impact further inland.

NLIHC's Disaster Housing Recovery Working Group (DHRC) – a group of over 850 local, state, and national organizations working to ensure that all disaster survivors receive the assistance they need to fully recover – will continue to monitor and push for needed reforms to our disaster recovery system as the region recovers. To find more about disaster recovery and housing join the Disaster Housing Recovery Coalition's Tuesday Working Group Meetings: <https://bit.ly/34Efwsa>

HoUsed Campaign

Take Action: House Approves Budget Resolution Calling for \$339 Million in Affordable Housing Investments

The House [voted](#) 220 - 212 on August 24 to approve a budget resolution, setting the stage for a \$3.5 trillion infrastructure and economic recovery package, **including up to \$339 billion in investments to get and keep low-income people housed.**

Now that the House and Senate have approved the budget resolution, the Senate Committee on Banking, Housing, and Urban Affairs and the House Committee on Financial Services will continue drafting legislation to divide these funds among various housing and transportation programs. With your advocacy, we can ensure that this once-in-a-generation investment includes the [#HoUSed campaign's top priorities](#): expanding rental assistance with \$180 billion phased in over ten years, providing \$70 billion to preserve public housing, and investing \$45 billion in the national Housing Trust Fund. Together, these resources will help ensure that the nation's lowest-income and most marginalized households have a safe, accessible, and affordable home.

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, and affordable homes. An infrastructure and economic recovery package is our first and best opportunity to advance the HoUSed campaign priorities, including expanding rental assistance, repairing public housing, and investing in the national Housing Trust Fund.

The budget resolution was first approved by the Senate on August 13. With the House's vote on August 24, each committee – including Senate Banking, Housing, and Urban Affairs and House Financial Services – will begin drafting legislation to dedicate funding to various housing and transportation programs. Congressional Democrats will be required to vote on the bills in committee by a September 27 deadline set by the House Rules Committee.

The allocation for affordable housing investments included in the budget resolution could 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 \$213 billion in direct investments and \$105 billion in housing-related tax provisions. Because the jurisdiction of each committee differs slightly, the overall allocation for housing is different in the House (\$339 billion) and Senate (\$332 billion) versions of the budget resolution.

Take Action

You can help build support for these essential investments:

- 1. Contact your members of Congress and urge them to include the HoUSed campaign's [priorities](#) in the infrastructure and economic recovery package.** Educate your members of Congress on why investments in rental assistance, public housing, and the Housing Trust Fund are critical to your community. Learn how to contact your members of Congress at <https://www.govtrack.us>. NLIHC created a [media toolkit](#) you can use that includes talking points, sample op-eds, and social media messages.
- 2. Join more than 1,000 organizations nationwide by signing the HoUSed campaign [letter](#) and 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 [priorities](#) for the infrastructure/economic recovery bill.

Thank you for your advocacy.

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

Join today’s (August 30) national HoUSed campaign call from 2:30-4 pm ET. We will be joined by Speaker of the U.S. House of Representatives Nancy Pelosi, for a discussion on the expiration of the eviction moratorium, the need to expedite ERA processing, and achieving long-term housing solutions in the upcoming reconciliation bill. We will also be joined by Gene Sperling, senior advisor to President Biden, and Noel Poyo, assistant secretary at the Department of Treasury, to discuss the Biden administration’s actions to prevent evictions. HousingNOLA’s Andreanecia Morris will provide an update on Hurricane Ida’s impacts on low-income people in New Orleans and throughout the Gulf Coast. We’ll share latest updates from Capitol Hill, especially related to the infrastructure and spending packages, and immediate actions needed to achieve our long-term policy priorities.

Register for the call at: <https://bit.ly/3ub2sWM>

Recording Available of August 23 National Call on “HoUSed: Universal, Stable, Affordable Housing”

During our most recent (August 9) national call on “HoUSed: Universal, Stable, Affordable Housing,” we discussed the latest on the CDC eviction moratorium and efforts by the apartment industry to have the Supreme Court overturn it. FEMA Recovery Directorate Assistant Administrator Keith Turi joined us to share information about how states can use 100% federal reimbursement to continue during the pandemic to use non-congregate sheltering for people experiencing homelessness and people with disabilities. Alicia Mazzara, senior research analyst at the Center on Budget and Policy Priorities, discussed the use of the CDC’s transmission data to determine moratorium eligibility. We heard the latest from NLIHC’s ERASE project about immediate federal, state, and local actions needed to disburse emergency rental assistance to protect renters. NLIHC’s policy team shared the latest updates from Capitol Hill about the infrastructure and spending packages. We also received updates from the field.

NLIHC President and CEO Diane Yentel spoke about the U.S. Court of Appeals for the District of Columbia Circuit’s August 20 [order](#) rejecting an emergency motion by the Alabama Association of Realtors to halt the Biden administration’s new [eviction moratorium](#), the subsequent [emergency petition](#) the Realtors filed with the Supreme Court, and the [Biden administration’s response](#) (see *Memo*, [8/23](#)).

Alicia Mazzara from the Center on Budget and Policy Priorities (CBPP) spoke about a new [tool](#) to determine whether a county is covered by the CDC eviction moratorium. The CBPP’s step-by-step guide also outlines what to do if a county falls below the “substantial” or “high” rate of transmission required for the CDC order’s protection.

FEMA Recovery Directorate Assistant Administrator Keith Turi spoke about the Biden administration’s August 17 [announcement](#) that FEMA would continue to fully cover the eligible costs related to coronavirus activities through the end of the year, including costs associated with non-congregate sheltering for those experiencing homelessness (see *Memo*, [8/23](#)).

Jesse Rabinowitz from [Miriam’s Kitchen](#) spoke about the [Way Home Campaign](#) and discussed advocates’ central role in securing historic investments in housing and homelessness in D.C.’s budget. The transformative budget will end homelessness for 3,500 households in D.C., including 2,370 individuals experiencing chronic homelessness.

NLIHC's Alayna Calabro provided updates on the budget resolution, which sets the stage for a \$3.5 trillion infrastructure and economic recovery package, including an investment of up to \$332 billion for housing and transportation (see *Memo*, 8/23). NLIHC's Emma Foley and Sarah Gallagher provided End Rental Arrears to Stop Evictions (ERASE) updates, including NLIHC's [ERASE Checklists](#), [new fact sheet on self-attestation](#), and additional [ERA resources](#).

NLIHC's next national call will be held Monday, August 30 at 2:30 pm ET. Register for the next call at: <https://tinyurl.com/ru73qan>

Watch a recording of the August 23 call at: <https://tinyurl.com/38chb3p3>

View presentation slides at: <https://tinyurl.com/xrscz2db>

Coronavirus, Disasters, Housing, and Homelessness

Additional Coronavirus Updates – August 30, 2021

National Updates

Department of Agriculture (USDA)

The USDA on August 25 [announced](#) additional steps it will take to support its tenants and owners. The USDA will offer additional support to property owners waiting to receive ERA funds by: allowing them to access reserves for operating shortfalls, providing financial incentives to property managers that use ERA to clear arrearages; and providing increased support from USDA field staff to spread awareness of ERA to local leaders and public housing authorities.

Reporting

The [Associated Press](#) reports that according to the Treasury Department, states and localities have only distributed 11% of the tens of billions of dollars in federal emergency rental assistance (ERA). “Nearly 1 million households assisted is meaningful progress, but the overall rate of spending emergency rental assistance remains much too slow,” said NLIHC President and CEO Diane Yentel. With the Supreme Court considering a challenge to the new CDC eviction moratorium, there is a concern that a surge of evictions will happen before much of the rent relief has been distributed.

The [New York Times](#) reports on recently released data on Treasury's Emergency Rental Assistance (ERA) program showing about 89% of ERA funds have not been distributed. State and local governments distributed just \$1.7 billion in rent relief in July as the Biden administration braces for a Supreme Court decision that could strike down the eviction moratorium.

[CBS News](#) reports on the emergency rental assistance (ERA) data and revised guidance released by the Treasury Department on August 25. The article notes that according to the latest Census Bureau data from early August, more than 7.9 million households are behind on rent.

The [Associated Press](#), [Politico](#), and [CNN](#) report on the U.S. Court of Appeals for the District of Columbia's [ruling](#) denying the Alabama Association of Realtors' request to overturn the CDC eviction moratorium.

[Reuters](#), [Washington Post](#), and [USA Today](#) report the Biden administration is urging the Supreme Court to leave in place the new eviction moratorium issued by the CDC eviction moratorium on August 3. The Alabama

Association of Realtors filed an emergency petition with the Supreme Court on August 20, just hours after the federal appeals court upheld U.S. District Judge Dabney Friedrich’s decision to keep the moratorium in place. This marks the second time the realtors have brought the dispute to the Supreme Court.

“The emergency rental assistance that Congress provided should be enough to cover all the rent and utility arrears that tenants accrued during the pandemic,” NLIHC’s Diane Yentel told [Yahoo Finance](#). “But the money is getting out much too slowly.”

State and Local News

California

The U.S. Court of Appeals for the Ninth Circuit [upheld](#) Los Angeles’ eviction moratorium, stating “the city fairly ties the moratorium to its stated goal of preventing displacement from homes, which the city reasonably explains can exacerbate the public health-related problems stemming from the COVID-19 pandemic.” The Apartment Association of Los Angeles County [urged](#) the federal appeals court to block the city’s eviction moratorium.

Illinois

Illinois Governor JB Pritzker [quietly extended](#) the statewide eviction moratorium through September 18. The [extended moratorium](#) applies to all Illinois counties, even those reporting low COVID-19 transmission rates.

Indiana

The [Herald-Times](#) reports that after the U.S. Department of Justice and National Center for State Courts urged states and localities to develop eviction prevention programs. Monroe County Circuit Judge Catherine Stafford, along with other officials and advocates, created the county’s eviction diversion program. The Monroe Circuit Court is requiring landlords to complete an [eviction diversion affidavit](#) and send it to the tenant at least 20 days before filing for eviction. If the tenant agrees to move forward with the program, the landlord can select either of two free mediation programs: [Community Justice and Mediation Center](#) or the [Indiana Landlord and Tenant Settlement Conference Program](#).

Despite the new CDC eviction moratorium, [eviction filings in St. Joseph County](#) are rising to near pre-pandemic levels. The county’s housing issues were not created by the COVID-19 pandemic but stem from a pre-existing shortage of affordable housing.

Nevada

[Las Vegas](#) launched on August 23, a new hotline and emergency rental assistance (ERA) program. The new hotline will support city residents facing eviction or who wish to apply for the Rental Assistance for Tenants (RAFT) program. Residents can call (702) 229-5935 for assistance.

New Mexico

Despite federal, state, and local eviction moratoriums, [thousands of New Mexico residents](#) have faced eviction since the beginning of the pandemic. New Mexico takes little action to track evictions and ensure landlords are complying with the law. Due to the lack of documentation required by the state’s courts, illegal evictions are nearly impossible to verify.

Oklahoma

According to data from the Oklahoma Policy Institute, [73% more evictions were filed in Tulsa](#) in early August compared to early July, and more than double the number of evictions filed from early June. Legal aid attorneys are seeing a dramatic rise in Tulsa landlords using loopholes, such as lease terminations or alleged lease violations, to evict tenants.

Oregon

Governor Kate Brown [announced](#) Monday that she had extended Oregon’s residential foreclosure moratorium until December 31.

Guidance

Centers for Disease Control and Prevention (CDC)

- [CDC Eviction Moratorium: Frequently Asked Questions](#)

Department of Housing and Urban Development (HUD)

- [HUD Eviction Prevention Resources Page](#)
- [COVID-19 Emergency Housing Voucher \(EHV\) Referral Packet Template: Example Forms for EHV Program – August 2021](#)
- [COVID-19 Homeless System Response: Engaging Individuals with Lived Expertise – August 2021](#)
- [ESG-CV Notice CPD-21-08 Webinar Materials](#)

Department of Treasury

- [Treasury Emergency Rental Assistance \(ERA\) Program: Frequently Asked Questions – Revised August 25, 2021](#)

FEMA

- [FEMA COVID-19 Funeral Assistance State-by-State Breakdown](#) – August 23, 2021

Disaster Housing Recovery Updates – August 30, 2021

Our thoughts are with everyone impacted by climate change-driven disasters across the country, including the [catastrophic flooding in Tennessee](#), [Tropical Storm Henri](#), [Tropical Storm Fred](#), and [wildfires in the west](#). 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](#).

NLIHC Updates

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 first webinar, “Assessing Vulnerability to Disaster in the Federally Assisted Housing Stock,” took place on August

25. The second webinar, “Disaster Planning and Mitigation for Affordable Housing Organizations,” will take place September 22 from 1-2:30 pm ET. Register for the series [here](#) and read the report [here](#).

Puerto Rico

The Puerto Rico Senate and House of Representatives approved bill 429/488 that protects families from evictions and foreclosures in the event of disasters, as petitioned by [Ayuda Legal Puerto Rico](#), a long-time DHRC partner. The bill is finally on the desk of Governor Pedro Pierluis, who has 10 days to act. Ayuda Legal is asking advocates to urge Governor Pierluisi to support and sign bill 429/488:

- Use social media (Twitter!). Tweet and tag @GovPierluisi and @fortalezaprt to share your support using #CeroDesahuciosPR
- Call the Governor’s Mansion, La Fortaleza, at 787-721-7000, or email them at gobernador@fortaleza.pr.gov

Tropical Storms

The [Washington Post](#) reports at least two people were killed after Tropical Storm Fred swept through western North Carolina on August 17, causing severe flooding. About 500 Haywood County families were displaced by the damage, with some losing their homes. Numerous homes and businesses were damaged in Clyde and Canton, including several community establishments that provide critical services for low-income residents.

Firefighters and emergency workers conducted [41 water rescues in Asheville](#) during the flooding caused by Tropical Depression Fred. More than half of those rescues were located in a manufactured home community. Before the biggest rain day, Asheville police warned individuals experiencing homelessness living near the French Broad and Swannanoa rivers about the potential for devastating flooding.

Flooding

President Biden approved a [Major Disaster Declaration](#) for Tennessee on August 24, making FEMA Individual Assistance (IA) available to impacted [individuals in Humphreys County](#). FEMA’s Public Assistance (PA) program, including funding for emergency protective measures and direct federal assistance, is available on a cost-sharing basis.

[Search-and-rescue efforts](#) remained underway on Tuesday (8/24) in the town of Waverly and throughout Humphreys County after the [catastrophic flooding](#) in Tennessee. The [flooding left portions of Waverly](#) – a city of nearly 4,300 people – in ruins, sweeping homes from their foundations.

The [Nashville Tennessean](#) outlines how people can help people impacted by the extreme flash floods.

Wildfires

President Biden approved a [Major Disaster Declaration for California](#) to supplement recovery efforts in areas impacted by the wildfires beginning on July 14. This action makes FEMA Individual Assistance (IA) available to affected individuals in Lassen, Nevada, Placer, and Plumas counties.

Due to nearby wildfires, the air quality in the Sacramento region has worsened to unhealthy levels. Despite the poor air quality, [Sacramento County](#) is not planning to open cleaner-air centers until the particulate matter 2.5 air quality index (AQI) exceeds 251. Sacramento City Councilwoman Katie Valenzuela is urging officials to open cleaner-air centers every time the AQI hits 150 to ensure individuals experiencing homelessness can have relief from the unsafe air.

HUD

NLIHC Signs Four Letters Supporting Proposal to Reinstate the 2013 Disparate Impact Rule

NLIHC signed on to four letters in support of HUD’s proposed rule that would reinstate the 2013 Disparate Impact Rule (see *Memo*, [6/28](#)). Two of the letters provide overarching reasons for reinstating the 2013 Disparate Impact Rule: one written by the [National Fair Housing Alliance](#), the other written by the [National Housing Law Project](#). Another two letters focus on the adverse effects the loss of the 2013 rule would have on specific populations: the [National Women’s Law Center](#) addresses concerns for women, children, and LGBTQI people, and the [National Alliance for Safe Housing](#) addresses concerns for survivors of gender-based violence.

The Trump administration issued a radically different final disparate impact rule on September 24, 2020 (see *Memo*, [9/14/20](#)). However, the U.S. District Court for the District of Massachusetts issued a preliminary nationwide injunction on October 25, 2020 that halted its implementation (see *Memo*, [11/2/20](#)). Consequently, the 2013 Disparate Impact Rule remained in effect. Nevertheless, the Biden administration proposed recodifying the 2013 rule.

The 2020 rule was designed to make it virtually impossible for people experiencing various forms of discrimination to challenge the policies and practices of businesses, governments, and housing providers. That rule would have made drastic changes to the 2013 rule, discarding the well-crafted and time-tested three-part burden-shifting standard, replacing it with a set of tests that place the burden on people in the Fair Housing Act’s protected classes who are experiencing housing discrimination.

The proposed reinstatement of the 2013 rule returns the definition of “discriminatory effect” that was eliminated from the 2020 rule, which also erased “perpetuation of segregation” as a recognized type of discriminatory effect distinct from disparate impact. The proposed rule will reaffirm that perpetuation of segregation remains a basis for contending that a policy has an unlawful discriminatory effect. The proposed rule also recodifies the principle that actions that could predictably result in a disparate impact on a group of persons in any of the protected classes are prohibited by the Fair Housing Act.

The 2013 rule works to protect against discriminatory impacts based on the protected classes by courts weighing the rights and needs of Fair Housing Act protected populations disproportionately affected by housing discrimination with the needs of businesses, housing providers, and governments. A business, housing provider, or government must stop using a policy or practice that has a discriminatory effect when there are less harmful alternative policies or practices that achieve their legitimate nondiscriminatory interest, even if that entity has a legitimate basis for the practice or policy.

The 2013 rule properly codified the Fair Housing Act’s disparate impact standard that has prevailed in the courts, is consistent with decades of case law, and has been used by regulators, including but not limited to HUD, for more than 45 years. The 2013 rule’s three-part burden-shifting framework provided a standard that was workable and that balanced plaintiff and defendant interests. The Supreme Court in *Inclusive Communities* ratified the 2013 rule’s burden-shifting framework and placed it in a well-established legal framework comparable to other federal civil rights laws, including Title VII pertaining to employment discrimination.

With the 60-day public comment period now closed, HUD must consider all comments and may make changes to the rule based on substantive information and concerns provided by commenters. Once the changes are complete, and after another review by the Office of Information and Regulatory Affairs (OIRA) at the Office of Management and Budget (OMB), HUD will publish a final rule in the *Federal Register*. The introduction, or preamble, to the final rule must indicate all meaningful comments received and HUD must explain why each

was accepted or rejected. All the comments that were submitted about the proposed rule are slowly being added to [regulations.gov](https://www.regulations.gov).

The proposed rule is at: <https://bit.ly/2UrATvQ>

The National Fair Housing Alliance letter is at: <https://bit.ly/38xQ0YJ>

The National Housing Law Project letter is at: <https://bit.ly/3BhwvzF>

The National Women’s Law Center letter is at: <https://bit.ly/3Bwbba3>

The National Alliance for Safe Housing letter is at: <https://bit.ly/3zngHER>

More information about disparate impact is on [page 7-8](#) of NLIHC’s *2021 Advocates’ Guide*, and on the [Disparate Impact webpage](#) of NLIHC’s [Racial Equity and Fair Housing website](#) at

Opportunity Starts at Home

Multi-Sector Campaign Releases Article on the Connection Between Housing and Health

The [Opportunity Starts at Home](#) multi-sector affordable homes campaign recently released an [article](#) discussing the connections between housing affordability, housing stability, and health outcomes. The article features a research summary and commentary from Dr. Ashley Kranjac (Chapman University) and Dr. Rachel Kimbro (Rice University) who have published studies about the connections between concentrated poverty, evictions, and health outcomes. The article also discusses how the research based around housing and health informs two pieces of bipartisan legislation reintroduced this summer: “The Family Stability and Opportunity Vouchers Act” co-sponsored by Senators Chris Van Hollen (D-MD) and Todd Young (R-IN) and the “Eviction Crisis Act” co-sponsored by Senators Michael Bennet (D-CO) and Rob Portman (R-OH).

Read the article [here](#).

Send a letter to your federal elected officials urging them to support the Family Stability and Opportunity Vouchers and the Eviction Crisis Act [here](#).

Research

Admissions Policies of HUD-Subsidized Housing Providers in Rhode Island Frequently Far Exceed HUD-Mandated Exclusion Criteria

An article in *Housing Policy Debate*, “[Locked Out: The Systematic Exclusion of Poor Renters from Federally Subsidized Housing](#),” examined the admissions policies of 108 Rhode Island public housing agencies (PHAs) and privately owned multifamily properties with Section 8 Project-Based Rental Assistance (PBRA). The authors found that these HUD-subsidized housing providers frequently went beyond HUD-mandated categorical exclusions, adding criteria that may disadvantage many prospective low-income tenants. Forty-two percent of PHA’s Admissions and Continued Occupancy Plans (ACOPs) or PBRA property’s Tenant Selection Plans (TSPs) explicitly mentioned that a felony conviction was grounds for denial, and 81% provided for denial

of applicants based on alcohol use. In addition, they used long lookback periods: on average, they examined 10.1 years of criminal history, 5.2 years of credit history, and 4.7 years of landlord history.

Federal regulations have four categories that trigger an automatic denial of assistance in federally subsidized housing: an eviction in the past three years from federally assisted housing for drug-related criminal activity, current engagement in illegal drug use, a pattern of illegal drug use interfering with other residents, or presence on the lifetime sex offender registry. Housing providers have latitude to expand the grounds for denial of assistance in their own admissions policies. The authors catalog such expanded admissions criteria to get a better sense of how many housing providers impose.

The authors requested admissions policies from 293 HUD-subsidized housing providers in Rhode Island (25 PHAs and 268 PBRA developments). They received 108 ACOPs and TSPs covering 37% of the total HUD-subsidized developments and 41% of the total assisted units in the state. The authors identified whether policies included criteria related to criminal legal history, alcohol use, landlord history, and credit history. They also identified whether the policies specified how far into an applicant's past they would look and whether the housing providers would consider mitigating factors (i.e., the mere presence of such factors did not always indicate automatic denial).

While 80% of the policies received referred to the HUD-mandated exclusion criteria, the vast majority also indicated other provisions related to criminal history, drug use, and alcohol use. Seventy-eight percent (78%) also included language explicitly denying tenants with a history of drug-related criminal activity, 77% denying for violent criminal activity, and 79% denying for other criminal activity including public drinking and prostitution. Nearly one fourth (24%) of the policies suggested that arrests might be considered as part of a criminal history. More than four out of five policies (81%) deny applicants on the basis of alcohol use. The majority (70%) had some provisions that considered mitigating factors, such as participation in drug and alcohol rehabilitation programs.

The examined policies went beyond HUD-mandated exclusion criteria to consider other aspects of tenants' financial history. Fifty-eight percent (58%) considered previous evictions, 27% considered bankruptcies, and 21% considered foreclosures. They also looked further into applicants' pasts than required by HUD: the average looked at 10.1 years of criminal history, 5.2 years of credit history, and 4.7 years of landlord history.

The screening policies varied by type of development. Those serving families had less restrictive provisions across criminal, landlord, and credit history criteria. Developments serving persons with disabilities were more likely to explicitly reference other criminal activity as grounds for denial. PHAs were less likely to explicitly mention rental and credit payment history and unit upkeep. PBRA properties had longer criminal lookback periods and were more likely to reference felony convictions, landlord history-related factors, and bankruptcy.

The authors note that the ostensible intention of PHAs and private owners of multifamily properties with PBRA assistance in adopting additional admission criteria is to protect the safety of tenants and the financial viability of developments. The authors assert that some of the additional criteria can unfairly exclude applicants from much-needed housing opportunities. This study does not analyze the effects of these additional criteria nor how they are employed in practice.

Find the report here: <https://bit.ly/3jhtmJX>

Resource

Sign-up for the 2021 Fall Issue of *Tenant Talk*

The 2021 fall issue of NLIHC's *Tenant Talk* is coming soon and you don't want to miss out!

Tenant Talk is a semi-annual newsletter created by the National Low Income Housing Coalition (NLIHC) to engage residents in housing advocacy and to highlight innovative approaches and recent victories in communities throughout the nation.

[Sign up for this issue of *Tenant Talk*!](#)

In the fall issue of *Tenant Talk*, you will read about how disability justice relates to housing, including how resident organizations can take action toward fair housing.

Readers of *Tenant Talk* will also enjoy spotlight articles on resident organizing that include features on National ADAPT's "Lives Worth Life" social media campaign and how Maryland passed "right to counsel."

Tenant Talk will also cover key policy and research updates. In this edition you will find articles on: the expiration of the federal eviction moratorium, the 2021 \$3.5 trillion infrastructure and economic "reconciliation" package that includes \$332 billion for housing and transportation, the percentage of housing that is accessible to people with disabilities, and so much more!

You can support the continued production of *Tenant Talk* and other NLIHC resources by [becoming a member](#). NLIHC is a membership organization open to individuals, organizations, corporations, and government agencies.

Event

Fair Housing Implications of Zoning and Land-Use Reform Is the Topic of NFHA Virtual Event

The National Fair Housing Alliance (NFHA) will hold a virtual event, "Meeting the Moment: Reversing Legacies of Exclusion and Disinvestment," on Thursday, September 30 from 1 to 5:30 pm ET. Dr. Darrick Hamilton, Henry Cohen Professor of Economics and Urban Policy, The New School will be the keynote speaker. Following Dr. Hamilton's presentation there will be two panel discussions. The topic of the first, from 1:40 to 3:10 pm, is "Fair Housing Implications of Zoning and Land Use Reform."

The panelists for "Fair Housing Implications of Zoning and Land Use Reform" will be:

- Fionnuala Darby-Hudgens, Director of Operations, Connecticut Fair Housing Center
- Lydia Edwards, City Councilor, Boston, Massachusetts
- Allan Lazo, Executive Director, Fair Housing Council of Oregon
- Moderator: Thomas Silverstein, Associate Director, Fair Housing & Community Development Project, Lawyers' Committee for Civil Rights Under Law

The second panel discussion, from 3:40- 5:25 pm, will discuss "New Approaches to Closing the Homeownership Gap." The panelists will be:

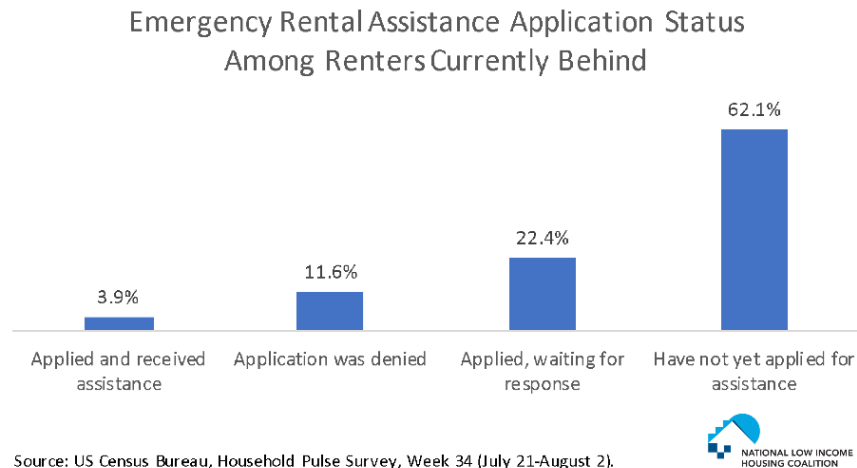
- Nikitra Bailey, Senior Vice President of Public Policy, National Fair Housing Alliance
- Symone Crawford, Director of STASH and Homeownership Operations, Massachusetts Affordable Housing Alliance
- Glenn Schlactus, Partner, Relman Colfax PLLC
- Moderator: Lisa Rice, President and CEO, National Fair Housing Alliance

The complete agenda is [here](#).

Register for the all-day \$100 event [here](#).

Fact of the Week

Over Half of Renters Currently Behind Have Not Yet Applied for Assistance, Showing Need for Greater Outreach and Simplified Applications



Source: U.S. Census Bureau, Household Pulse Survey, Week 34 (July 21-August 2).

From the Field

Minnesota's Eviction Moratorium Off-Ramp

Minnesota has implemented [statewide tenant protections to prevent evictions](#): until June 2022, landlords cannot file for eviction for non-payment of rent against any tenant who has a *pending* application for COVID-19 emergency rental assistance (ERA). This will help tenants and promote the use of emergency rental assistance when the eviction moratorium ends.

[The Homes for All Coalition](#), formed with a goal of bringing collective statewide advocacy to the Minnesota Capitol, was instrumental in advocating for Minnesota's unique moratorium "off-ramp." Advocates from more than 270 organizations from across the state, including NLIHC's state partner [Minnesota Housing Partnership](#), met with lawmakers over Zoom, testified at multiple hearings, held two online rallies that had impactful stories, and sent letters and hundreds of emails to state elected officials about the need to prevent renters from being evicted. The eviction moratorium phaseout is a solid compromise that will serve Minnesota renters better than if the Governor's [Executive Order 20-79](#) and/or the peacetime emergency powers were to end abruptly without any guardrails.

Minnesota's eviction moratorium was governor-initiated and was more comprehensive than the CDC eviction moratorium. It suspended non-payment of rent evictions and other forms of displacement, such as notices to vacate for lease non-renewals or evictions for lease violations. But it was extended in only 30-day increments,

creating a climate of instability. Based on this experience, it became clear that the ending of the state moratorium would be confusing for both landlords and renters—and that a clear phase-out period would help to prevent evictions. The Homes for All Coalition advocated for a clear and transparent timeline for ending the state moratorium, and a notice period for after it ended.

The phaseout includes several step-downs with clear dates:

As of July 14, landlords can file evictions for material lease violation but not for evictions for non-payment of rent.

As of August 13, landlords can terminate leases and not renew leases of tenants behind on rent and who are ineligible for COVID-19 ERA.

As of September 12, landlords can begin to file for evictions for tenants who are behind on rent and are ineligible for COVID-19 ERA.

“Minnesota's eviction off-ramp, which prohibits evictions for those applying for RentHelpMN, has been a critical life-line in protecting the health, safety, and economic wellbeing of thousands of renters,” noted Anne Mavity, Executive Director of Minnesota Housing Partnership. “It reflects a balanced approach that protects tenants who desperately need rental assistance to remain in their homes, and provides a realistic timeline that acknowledges that economic recovery doesn’t occur overnight, but will be a long road ahead.”

Most of the state’s off-ramp protections end on October 12 for tenants who are not eligible for this emergency rental assistance. This means that landlords can end a lease for any legal reason with appropriate notice, and that they can file evictions for any legal reason except non-payment of rent for tenants with a pending COVID-19 ERA application. That protection expires on June 20, 2022.

Advocates have turned their attention to supporting access to emergency rental assistance for thousands of tenant applicants. Minnesota has millions in emergency rental assistance available for tenants, but the wait for these funds to be processed continues to be lengthy.

NLIHC News

NLIHC Welcomes Fund Development Intern Maya Ward-Caldwell

NLIHC is pleased to welcome Maya Ward-Caldwell as our fund development intern for the fall. Maya is a senior pursuing a B.A. in sociology with a minor in history that focuses on African American and Asian studies at Albright College in Reading, Pennsylvania. Maya’s passion for fund development began while she worked as a summer intern for the Baltimore Regional Housing Partnership, researching localized community reinvestment projects and their positive financial impacts on their surrounding communities, among other subjects. We are excited to have Maya join us and continue her commitments to research and development!

NLIHC Issues 2020 Annual Report

NLIHC President and CEO Diane Yentel begins [NLIHC’s 2020 Annual Report](#) commenting, “The pandemic made starkly clear that housing is healthcare and the collective harm that comes from allowing homelessness and housing poverty in America to persist. The year also vividly showed the deep structural racism on which our country, and so many of its systems, was built, and how that structural racism harms and kills Black,

Indigenous and other people of color. And it made clear our collective responsibility to repair this deep injustice, to work towards racial and housing justice.”

In addressing these challenges, Diane points out, “Through our collective advocacy, and the leadership of extraordinary congressional champions, we achieved substantial resources to keep safe people experiencing homelessness; we secured a national eviction moratorium which, while flawed, is the first of its kind in our history, keeping tens of millions of renters stably housed during the pandemic; and we won passage of \$46 billion in emergency rental assistance, to address the rent and utility arrears that accrued during the pandemic, disproportionately among the lowest-income renters and people of color.”

The Annual Report highlights other NLIHC activities responding to the COVID-19 pandemic, including:

- Hosted weekly national calls (each attended by 800-2,500 people) since the start of the pandemic on coronavirus, disasters, housing, and homelessness. The calls shared information on: how federal, state, and local governments and nonprofits were responding; how the crisis was impacting people experiencing homelessness and low-income renters; what more needed to be done by policy makers; and how advocates could most effectively make those actions occur.
- Launched and lead smaller, more focused “working-group” calls weekly or biweekly, attended by 60-100 participants on legislation strategy, working with FEMA, and state and local response and implementation.
- Created a regularly updated webpage with key information from across the country. The webpage included: a searchable database and interactive map of all properties in the U.S. protected by CARES Act federal eviction moratoriums; a listing and map of all state and local rental assistance programs; and a toolkit and guide on the challenges, obstacles, and policy recommendations for working with FEMA.
- Published four research reports about the need for emergency rental assistance, state and local rental assistance programs during the pandemic, emergency rental assistance programs developed in response to the pandemic, and the costs of evictions during the pandemic.
- Tracked more than 700 state and local emergency rental assistance programs, documenting challenges, best practices, and lessons learned.
- Led a sign-on letter that included more than 1,500 organizations and elected officials, urging the CDC director to extend the first eviction moratorium beyond December 31 with improvements, and later sent the letter to all members of Congress to urge continuing the eviction moratorium to January 31, 2021.

Among other actions in response to 2020’s blistering spotlight exposing deep structural racism, NLIHC held a three-part live-stream discussion series on “Racial Equity and Housing Justice during and after COVID-19,” each attended by 5,000-8,500 participants. The three sessions were with Dr. Ibram X. Kendi, Nikole Hannah-Jones, and Ta-Nehisi Coates.

NLIHC leads *Opportunity Starts at Home (OSAH)*, a multi-sector affordable homes campaign comprising leading national organizations representing health, education, civil rights, criminal justice, food security, social work, and faith communities as well as affordable housing. OSAH hosted a congressional briefing on Capitol Hill on January 14 to discuss two major bipartisan housing bills introduced in the Senate, the “Eviction Crisis Act” and the “Family Stability and Opportunity Vouchers Act.” OSAH also released a national opinion poll revealing that Americans across the political spectrum were deeply concerned about housing instability due to the pandemic and favored major action from Congress to prevent evictions and homelessness.

NLIHC released three issues of *Tenant Talk*, a publication by and for residents of public and assisted housing and those in need of such housing assistance. NLIHC continued its *Tenant Talk Live* resident engagement call/webinar series, which provides opportunities for residents to connect with NLIHC and with one another.

NLIHC continued to produce *Out of Reach* and *The Gap* research reports valued and utilized by advocates every year. Other research reports not related to the coronavirus pandemic included, *Picture of Preservation*, *Fixing America's Broken Disaster Housing Recovery System* and *Housing Is Healthcare*.

NLIHC's 2020 Annual Report is at: <https://bit.ly/2Wku8x5>

NLIHC in the News

NLIHC in the News for the Week of August 22

The following are some of the news stories that NLIHC contributed to during the week of August 22:

- “Supreme Court’s Decision Opens Door to Millions of Evictions,” *New York Times*, August 27 at: <https://nyti.ms/3jntMP9>
 - “Millions of Americans face financial cliff as eviction ban, unemployment aid lapse amid Washington inaction,” *The Washington Post*, August 27 at: <https://wapo.st/3mBsFxr>
 - “Here’s Where Renters Appear Most At Risk With Eviction Moratorium Overturned,” *Forbes*, August 27 at: <https://bit.ly/2WqYi26>
 - “Only 11% in Rental Assistance Spent, Treasury Department Prepares to Reallocate Unspent Aid,” *route-fifty*, August 25 at: <https://bit.ly/3j1V1bL>
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Diane Yentel, President and CEO, x225