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Fair Housing

HUD Announces Proposed Fair Housing Rule; NLIHC Releases Statement in Support

HUD [announced](#) plans to publish a proposed Affirmatively Furthering Fair Housing (AFFH) rule “imminently.” The proposed rule would help communities meet a more than five-decade old requirement to actively address systemic racism and segregation, which have often resulted from specific federal policies. The proposed rule would seek to improve a 2015 rule issued by the Obama administration that was suspended abruptly and replaced by the Trump administration in 2018. In a [statement](#), NLIHC applauded the Biden-Harris administration for developing the proposed rule. NLIHC has also prepared a [brief summary](#) of key points in the proposed rule based on the preamble’s “Executive Summary” and “Background” sections. Once the proposed rule is published in the *Federal Register*, advocates will have 60 days to offer comments. NLIHC will provide sample comment letters for advocates to consider using.

“The 2015 AFFH regulation was an important step toward rectifying decades of racist housing policies that created today’s segregated neighborhoods and resulted in associated harm to children, families, and the country,” said NLIHC President and CEO Diane Yentel in a statement released on January 19. “Today’s updated proposed AFFH rule not only helps to undo the harmful efforts by the Trump administration to undermine fair housing, but it seeks to simplify the fair housing analysis process while holding communities accountable for addressing racial inequities and advancing equity. We look forward to closely reviewing the proposed rule and working with the administration on our collective efforts to advance racial and social equity.”

President Biden said in a [statement](#) that the proposed rule “sends a clear message to communities across the country that just saying they won’t discriminate isn’t enough. Communities must take action to aggressively combat and end racial discrimination in our housing system. This is an important step forward to ensure every community does its part to expand equity in housing and to fulfill our promise of a nation of opportunity and equity for all.”

The “Fair Housing Act of 1968” not only makes it unlawful for jurisdictions to discriminate but also requires jurisdictions to take actions to undo historic patterns of segregation and other types of discrimination that have resulted in racially segregated, under-resourced communities that persist to this day. The law likewise requires jurisdictions to take action to promote fair housing choice and to foster inclusive communities, ensuring that all neighborhoods have equitable access to high-quality schools, healthy food, clean air and water, reliable transportation, quality healthcare facilities, and other community resources and amenities.

Despite the statutory language, the federal government did not provide meaningful guidance until 2015 about how communities could meet the legal requirement to correct discriminatory housing practices and undo the harms caused by racial segregation, housing discrimination, and disinvestment. Under the Trump administration, HUD suspended the 2015 regulation and abruptly and without public review or comment published the “Preserving Neighborhood and Community Choice” rule. Shortly after taking office, the Biden administration published an Interim Final Rule to rescind the Trump mandate, announcing its intention to further improve the 2015 regulation.

“Housing justice and racial justice are inextricably linked,” said Yentel in the NLIHC statement. “More than ever, large-scale, sustained investments and anti-racist reforms are necessary to ensure that people with the lowest incomes have quality homes that are accessible and affordable in communities of their choice. The administration’s action is an important step toward addressing structural racism and achieving greater racial equity and justice.”

Read HUD’s announcement at: <https://bit.ly/3XIRP2H>

Read the proposed AFFH rule at: <https://bit.ly/3kiISZ6>

Read NLIHC’s press statement at: <https://bit.ly/3XHE4el>

Read NLIHC’s brief summary of the proposed AFFH rule at: <https://bit.ly/3QSVzpM>

Explore other fair housing materials on NLIHC’s [Racial Equity and Fair Housing](#) page.

NLIHC Joins Statement with Leading Civils Rights and Housing Organizations Supporting Proposed Fair Housing Rule

NLIHC, along with the National Fair Housing Alliance and 34 other civil rights and housing organizations, issued a joint [statement](#) applauding HUD’s [release](#) of the proposed Affirmatively Furthering Fair Housing (AFFH) rule. The rule comes one month after NLIHC and 11 other national organizations sent a [letter](#) urging the Biden administration to take immediate action to advance the new proposed rule (see [Memo, 12/19/2022](#)).

“Today’s action by U.S. Department of Housing and Urban Development (HUD) Secretary Marcia L. Fudge in releasing an updated Affirmatively Furthering Fair Housing (AFFH) proposed rule is an important step toward creating more equitable and affordable housing opportunities and stronger, more viable neighborhoods,” the statement says. “Our organizations urged the Biden-Harris administration to prioritize restoring inclusive fair housing rules that were previously weakened or ignored and that ensure everyone lives in healthy, well-resourced, vibrant communities free from discrimination.”

The statement recognizes that even after the “Fair Housing Act” was passed 55 years ago, housing discrimination has continued to impact all areas of American society. “When Congress passed the Fair Housing Act in 1968,” the statement explains, “it intended for HUD to take active steps to end housing discrimination, eliminate housing segregation and its ill effects, and dismantle systemic racism and inequality to ensure people could have safe and decent housing in vibrant communities. However, a robust framework for enforcing these obligations was not put into place until 2015, finally giving local jurisdictions, public housing authorities, and community stakeholders the process and data needed to identify and redress local barriers to fair housing and equitable opportunity. The Fair Housing Act’s AFFH mandate requires every entity – local governments, states, housing authorities, etc. – receiving federal funding for a housing or urban development purpose, to use those funds, as well as operate all of their programs, in a manner that affirmatively furthers fair housing opportunities. When used appropriately, the Fair

Housing Act's AFFH provision can reduce racial and gender wealth and homeownership gaps; increase the supply of quality accessible and affordable housing; improve educational, health, environmental, and other outcomes; increase economic opportunities; and benefit thousands of communities and millions of people. By addressing structural inequities, we can build a stronger economy, develop and support more affordable housing options, and maintain a check on inflation, as housing is the single largest expense for the average consumer.”

Read the joint statement at: <https://bit.ly/3WnuY5i>

Explore other fair housing materials on NLIHC's [Racial Equity and Fair Housing](#) page.

Budget and Appropriations

Treasury Initiates “Extraordinary Measures” to Avoid Default While House Republicans Push Spending Cuts

U.S. Department of the Treasury (Treasury) Secretary Janet Yellen announced on January 19 that the federal government had reached its statutory debt limit and that Treasury would begin implementing “extraordinary measures” to avoid a default. Negotiations about the raising of the debt limit that play out in Congress over the next year are likely to involve questions about federal funding for domestic programs, including housing and homelessness services.

Established by Congress in 1917, the debt limit, also known as the “debt ceiling,” is the legal limit on the maximum amount of debt that can be taken on by the federal government to finance obligations that have already been approved. Since its creation, lawmakers have voted to raise the debt limit more than 100 times to ensure the federal government can continue paying its financial obligations. The process of raising the debt ceiling has historically been uncontroversial but has become politically contentious in recent years.

When the federal government hits the debt ceiling, it cannot issue any new debt but can continue paying its bills in the short-term by using “extraordinary measures” (that is, by shifting federal funds to keep paying its financial obligations). However, these measures are temporary and expected to be exhausted in June 2023, giving members of Congress only a few months to take action to lift the debt ceiling. Failure to do so would result in the federal government defaulting on its financial obligations, a first-ever event that would throw global financial markets into chaos.

Despite the urgent need to raise the debt ceiling, House Speaker Kevin McCarthy (R-CA) has pledged to use debt ceiling negotiations to demand cuts to the federal budget. The same tactic was used in debt ceiling negotiations in 2011 and resulted in the “compromise” enactment of the “Budget Control Act of 2011,” which imposed austere spending caps on discretionary spending for the next decade in exchange for raising the debt ceiling. Most Senate Democrats and the White House are calling for a “clean” raising of the debt ceiling, without any policy strings or funding cuts attached. However, due to the divided Congress, bipartisan support will be needed in both chambers to move any proposal.

The emerging debt ceiling debacle foreshadows difficult negotiations ahead over the fiscal year (FY) 2024 budget, which will need to be finalized by October 1, the beginning of the new fiscal year. Speaker McCarthy is pushing to cap FY2024 spending at FY2022 levels, which would result in an estimated \$130 billion in cuts, primarily to non-defense programs that would likely include affordable housing and homelessness resources.

Take Action!

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

NLIHC and our members, partners, and allies will continue working to advance the policies needed to ensure everyone has a safe, affordable, accessible place to call home and to guard against spending cuts and harmful proposals that would increase barriers to receiving housing assistance for people with the lowest incomes.

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

House Appropriations Ranking Member Requests Information on Impact of Potential Budget Cuts

Representative Rosa DeLauro (D-CT), ranking member of the U.S. House of Representatives' Committee on Appropriations, sent letters to several federal agencies on January 19 requesting information about the impacts of budget cuts on crucial federal programs, including affordable housing and homelessness services programs managed by HUD and the U.S. Department of Agriculture (USDA). The requests come in the wake of reports suggesting that House Speaker Kevin McCarthy (R-CA) has committed to slashing federal spending by capping fiscal year (FY) 2024 appropriations at FY2022 levels. Speaker McCarthy and many of his Republican colleagues in the House have vowed that the roughly \$130 billion in anticipated cuts will focus entirely on non-defense spending.

“A preliminary examination of this blueprint suggests this proposed policy would harm communities across the country and our national security interests around the world,” said Ranking Member DeLauro in her [letter](#) to HUD Secretary Marcia L. Fudge. “Given these potential outcomes, the American people and Members of Congress deserve to know the real impact this policy would have on the economy, their neighborhoods, and other essential government functions that keep people healthy and safe.”

To maintain even the same level of support for people receiving housing assistance, it is [necessary](#) to increase funding for affordable housing programs from one year to the next, given

the impacts of inflation. Advocates and affordable housing champions in Congress worked to secure a [\\$8.1 billion increase](#) to HUD’s budget in FY2023, including enough funding to renew all existing housing voucher contracts and to expand the program to an additional 12,000 households with the lowest incomes. These resources provide a vital safety net to individuals and families with low incomes, helping ensure they have an affordable place to call home and that they need not choose between putting food on the table and keeping a roof over their heads.

Read Ranking Member DeLauro’s letter to Secretary Fudge at: <https://bit.ly/3XywZN8>

Learn more about the harmful impacts of inconsistent funding on affordable housing, homelessness, and community development programs at: <https://bit.ly/3XCdkf8>

Public Housing

Representatives Velázquez and Goldman Introduce Bill to Address Capital Needs Backlog in Public Housing

Representatives Nydia Velázquez (D-NY) and Dan Goldman (D-NY) introduced the “Public Housing Emergency Response Act” ([H.R.235](#)) in the U.S. House of Representatives on January 11. The bill would provide \$70 billion to the Public Housing Capital Fund to address the capital needs backlog in public housing. NLIHC endorsed the bill.

“The public housing system was created to serve as an affordable lifeline for working families across this country,” said Representative Velazquez in a [press release](#). “However, many public housing units are in poor conditions, contributing to a broad range of infectious diseases, chronic diseases, injuries, childhood development complications, nutrition issues, and mental health challenges. This situation demands bold action.”

“We have an obligation to ensure that public housing residents are living with the dignity and respect they deserve,” Congressman Goldman stated. “The conditions that far too many tenants are forced to endure are simply unacceptable, and the first step to tackling this urgent crisis is to fund capital repairs and eliminate backlogs.”

Due to decades of chronic underfunding by Congress, the nation’s public housing stock is in a state of disrepair, exposing tenants – often families with children, older adults, and people with disabilities – to harmful and frequently dangerous living conditions. Public housing residents have reported toxic mold, lead, pests, and other hazards in their units, and some units still lack adequate fire safety measures, like smoke alarms and sprinkler systems. Significant federal funding is needed to make the critical repairs to public housing required to ensure every resident has a safe, healthy place to call home.

Read the press release at: <https://bit.ly/3WmtmsK>

Learn more about the bill at: <https://bit.ly/3krAXce>

HoUsed Campaign for Universal, Stable, Affordable Homes

Recording of January 17 National HoUsed Campaign Call Now Available

In our most recent (January 17) national call for the “HoUsed: Universal, Stable, and Affordable Homes” campaign, we discussed the outlook for the new legislative session, heard about findings from a report on San Francisco’s shelter-in-place program, received field updates from advocates in Ohio and Minnesota, and shared how to get involved in NLIHC’s 2023 “Tenant Talk Live” webinar series.

NLIHC Policy Manager Kim Johnson led the first call of the new year with a discussion about what to expect during the 118th Congress. With Republicans in control of the U.S. House of Representatives and Democrats in control of the Senate, any bill enacted will need bipartisan support in both chambers to pass. The House adopted a new rules package that includes several reforms prioritizing spending cuts and tax breaks, including replacing the previous Congress’ Pay-As-You-Go (PAYGO) budget rule with a Cut-As-You-Go (CUTGO) rule. PAYGO required the legislature to offset any increase to the federal deficit with either spending cuts or increased taxes, while CUTGO only requires offsets if a proposal will increase mandatory spending, allowing Congress to enact tax cuts that add to the deficit without offsets. House Speaker Kevin McCarthy (R-CA) has also vowed to slash federal spending on non-defense programs by capping fiscal year (FY) 2024 appropriations at FY22 levels, which would result in an estimated \$130 billion cut to non-defense programs.

Dr. Maria Raven from the University of California, San Francisco’s Benioff Homelessness and Housing Initiative and Dr. Mark Fleming from the University of California, Berkeley’s School of Public Health shared findings from their report, “[Association of Shelter-in-Place Hotels With Health Services Use Among People Experiencing Homelessness During the COVID-19 Pandemic](#).” The study evaluated the impact of the shelter-in-place hotel program on health services use for people experiencing homelessness, who have a high rate of acute medical services use. Each person participating was given non-congregate shelter with access to their own bedroom, bathroom, three meals a day, and an onsite-medical clinic, as well as transportation to off-site clinics. Their findings indicated that using hotels as non-congregate shelters mitigated COVID-19 risks and reduced the use of acute care by people experiencing homelessness.

Amy Riegel, executive director of the Ohio Coalition on Homelessness and Housing, discussed the ramifications of a provision in the Ohio General Assembly’s omnibus appropriations bill that changes the way county auditors evaluate the value of affordable housing. The new methods allow market rate rents and other property tax appraisals to be considered and limit the use of both state tax credits and Low-Income Housing Tax Credits (LIHTC) at the same time. The bill also limits the use of emergency rental assistance (ERA) so that it may only be used to pay for utilities and rent incurred before December 2021 and states that Ohio must use remaining ERA funds by December 2023. Riegel argued that the state legislature must continue to appropriate ERA dollars without these stipulations in order to protect tenants with low incomes.

Minnesota Housing Partnership Communications Director Jenny Jones rang in the new legislative session with the Start With Home Rally, meant to signal the importance of housing to state lawmakers. The event featured Native speakers, advocates, and people with lived experience, as well as the support of 80 local businesses and community organizations. Jones noted that with Democrats in control of the House, Senate, and the Governor's office in Minnesota, there is a momentous opportunity to prioritize housing in the upcoming legislative period.

Sid Betancourt, NLIHC housing advocacy organizer, rounded out the call with a description of NLIHC's upcoming "[Tenant Talk Live](#)" series for 2023. Tenant Talk Live provides an opportunity for tenants and residents to connect with one another, NLIHC, and other advocates and learn how to get involved in influencing federal housing policies. [Join us](#) on February 6 at 6 pm ET for the next Tenant Talk Live, which will focus on international models of housing justice, and make sure to [sign up](#) for our semi-annual *Tenant Talk* newsletter. The new issue, "Advancing Tenant Protections: Building Tenant Power to Achieve Renter Equity," will be released on February 9.

Our next HoUsed campaign call will be held on January 31 at 2:30 pm ET. Register for the call at: <https://bit.ly/3iQU1Qy>

Housing Policy Forum

Representative Jayapal to Address NLIHC's Housing Policy Forum 2023

[NLIHC's Housing Policy Forum 2023: Onward to Housing Justice](#), taking place on March 21-23 at the Hilton Washington DC Capitol Hill Hotel in Washington, D.C., will feature a discussion with Congresswoman Pramila Jayapal (D-WA), chair of the Congressional Progressive Caucus, about the path forward for achieving universal, stable, affordable housing for those most in need in America. [Register today to attend the Forum](#).



Congresswoman Pramila Jayapal (D-WA)

The Forum will offer participants an array of opportunities to engage with and learn from thought-leaders, tenant and community leaders, policy experts, researchers, affordable housing practitioners, and leaders from Capitol Hill and the Biden-Harris administration about the state of the affordable housing crisis in America and its solutions. In addition to Congresswoman Jayapal, the Forum will feature keynote addresses by acclaimed sociologist and author Matthew Desmond and renowned scholar and social activist Rev. Dr. William J. Barber II.

A full event schedule will be shared in the coming weeks.

[Register today](#) for the 2023 Housing Policy Forum!

Hotel Discounts and Scholarships Still Available for 2023 Housing Policy Forum – Book Now!

Planning to attend this year's Housing Policy Forum in Washington, D.C.? Be sure to book your hotel room now to lock in a discounted rate! NLIHC still has a limited number of discounts available for hotel rooms at the Hilton Washington DC Capitol Hill Hotel in Washington, D.C. [Register to attend the forum](#) and [book your discounted room](#) today, though, because the discounts are first-come, first-served. Low-income people attending the Forum are also invited to apply for a hotel scholarship to cover the cost of a room at the Hilton Washington DC Capitol Hill Hotel. The deadline to [submit a scholarship application](#) for a hotel room is January 23.

Register to attend Forum [here](#).

Book your discounted room [here](#).

Apply for a hotel scholarship by January 23 [here](#).

Leadership Awards Ceremony

2023 Housing Leadership Awards to Honor Representative Cori Bush, John Parvensky, and Ayuda Legal Puerto Rico

Every year, NLIHC honors individual leaders and organizations for their outstanding contributions to affordable housing at our Housing Leadership Awards Ceremony. This year, we are excited to present leadership awards **to Representative Cori Bush (D-MO), John Parvensky, and Ayuda Legal Puerto Rico**. These exceptional leaders will be recognized at NLIHC's 41st Annual Housing Leadership Awards Celebration on Wednesday, March 22, from 6:30 to 8 pm at the Hilton Washington DC Capitol Hill Hotel in Washington, D.C.

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

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

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

Recognize these outstanding leaders by making a donation to NLIHC in their honor! Donate to NLIHC in these leaders' honor as an [individual](#) or as an [organization](#).

Your donation will be recognized in the Leadership Awards Celebration program, and your contribution will support NLIHC's mission to achieve racially and socially equitable public policy that ensures people with the lowest incomes have quality homes that are accessible and

affordable in communities of their choice. Information about how to register to attend the Housing Leadership Awards Celebration is forthcoming.

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

Opportunity Starts at Home

Article Identifies Rising Sea Levels as Threat to Affordable Housing

Housing Matters, an initiative undertaken by the Urban Institute, has published an article, “Rising Sea Levels Are Threatening Affordable Housing. What Can Local Governments Do?,” tracing the impact of rising sea levels on access to affordable housing. The article shows that the threat posed by rising sea levels to coastal communities is especially acute for racially segregated and economically disadvantaged communities located along coasts. The article outlines policies that could be adopted to combat the effects of rising sea levels and encourages policymakers to work with communities to create equitable flood prevention and mitigation plans. Read the article [here](#).

Research

Study Demonstrates Need for Greater Resources to Support Students Experiencing Homelessness

A new study published in *Social Service Review*, “[Who Counts? Educational Disadvantage among Children Identified as Homeless and Implications for the Systems That Serve Them](#),” examines the educational risks faced by children who are identified as homeless by the Department of Education (ED) and HUD. HUD’s definition of homelessness is narrower than the definition used by ED and is meant to reflect “literal homelessness,” while ED’s definition is broader and includes “doubled-up” families. The authors find that ED- and HUD-identified homeless students both experienced increases in chronic absenteeism (attendance rates <90%) and school mobility (moving to a new school during the school year) compared to peers from low-income but stably housed families. Yet ED-identified homeless students were significantly more likely than HUD-identified homeless students to experience school mobility. The authors conclude by suggesting that decisionmakers should reconsider how to prioritize resources for homeless students.

To analyze differences among HUD- and ED-identified homeless students, the researchers started with administrative data from the 2013-2017 period for over 195,000 Minnesota public school students residing in the Hennepin County, Ramsey County, and West Central Continuums of Care (CoCs). Nearly 13% of students were identified as homeless under the ED definition and 3.5% qualified as homeless under the HUD definition during at least one year in the sample period. American Indian and Black students were much more likely to experience either form of homelessness than White, Hispanic, or Asian students. Twenty percent of American Indian and

17% of Black students experienced homelessness according to either definition over the study period compared to just 2% of White students.

The authors assessed educational outcomes in terms of school mobility, school attendance, reading proficiency, and math proficiency. Overall, students identified as homeless under either agency definition were at a disadvantage across all four educational outcomes compared to their peers whose families were low-income but not experiencing housing instability. After controlling for other factors, ED-identified homelessness was associated with a 28% increase in chronic absenteeism (attendance rate < 90%) and a 52% increase in school mobility relative to the population of students from low-income but stably housed families. ED-identified homeless students also experienced a 4% decline in math proficiency, but there was not a significant relationship between ED-identified homelessness and reading proficiency. HUD-identified homelessness was associated with 22% increases in both chronic absenteeism and school mobility relative to the population of students from low-income but stably housed families. However, after controlling for other factors, HUD-identified homelessness was not associated with changes in math or reading proficiency.

The authors also directly compared educational outcomes between HUD- and ED-identified homeless students. After controlling for other factors, ED-identified homeless students had a significantly higher likelihood of school mobility compared to HUD-identified homeless students relative to the population of students from low-income but stably housed families. Significant differences were not observed between ED-identified and HUD-identified homeless students regarding the other educational outcomes after controlling for a full range of factors.

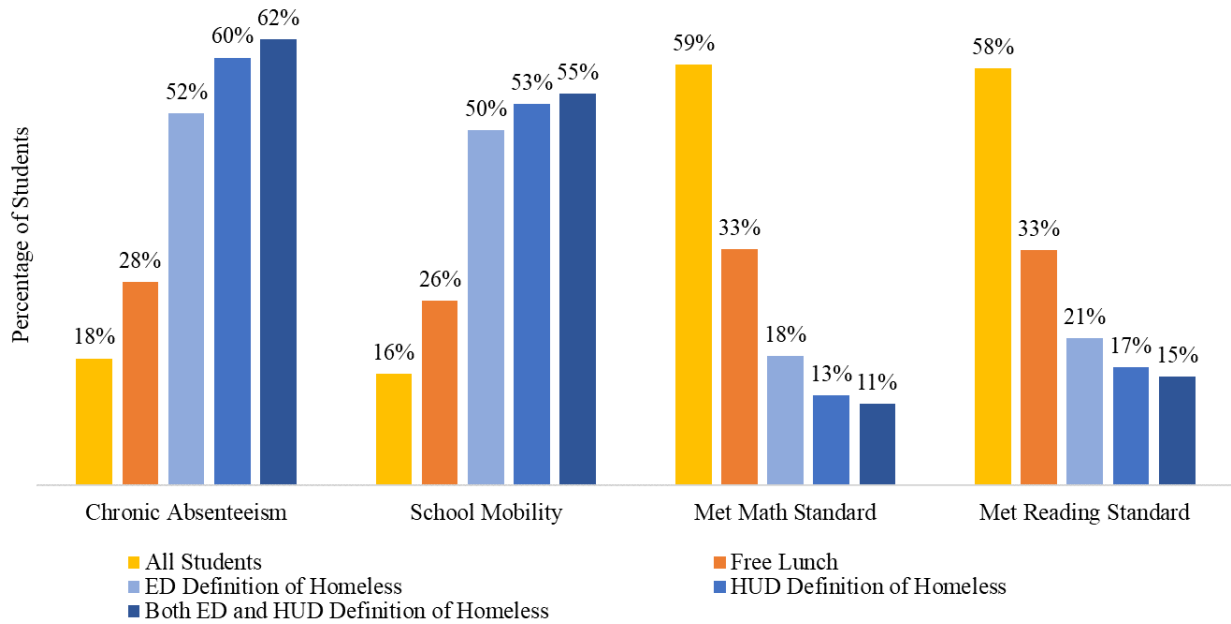
These findings challenge the common assumption that students experiencing HUD's definition of "literal homelessness" have greater needs than those students who fall under ED's more expansive definition. The authors argue that restricting homeless resources and services to HUD-identified homeless families should be reconsidered. They acknowledge, however, that expanding HUD's definition of homelessness to include "doubled-up" families would likely overwhelm the already inadequate resources and capacities of CoCs.

Read the article at: <https://bit.ly/3HaEjYT>

Fact of the Week

Homeless Students Experience Negative Educational Outcomes

Educational Outcomes for Minnesota Public School Students by Free Lunch and Housing Status



Source: Lowell, W., Hanratty, M. (2023). Who counts? Educational disadvantage among children identified as homeless and implications for the systems that serve them. Retrieved from <https://www.journals.uchicago.edu/doi/epdf/10.1086/722003>.

Notes: ED = Department of Education. HUD and ED employ separate definitions of homelessness. The ED definition of homelessness is more expansive and includes "doubled-up" families, while the HUD definition reflects "literal homelessness." Data are from 2013-2017 for Minnesota public school students residing in the Hennepin County, Ramsey County, or west central Continuum of Care (CoCs). Chronic Absenteeism = school attendance rate < 90%. School Mobility = attending two or more unique schools in a given year. Met Math Standard = Met or exceeded the math achievement standard on the Minnesota Comprehensive Assessments (MCA). Met Reading Standard = Met or exceeded reading achievement standard on the Minnesota Comprehensive Assessments (MCA).

Source: Lowell, W., Hanratty, M. (2023). Who counts? Educational disadvantage among children identified as homeless and implications for the systems that serve them. Retrieved from <https://www.journals.uchicago.edu/doi/epdf/10.1086/722003>.

From the Field

Sign Up Today to Receive Your Free Print Copy of *Tenant Talk*!

NLIHC is preparing to release the winter issue of *Tenant Talk* on February 9! You can sign up to receive a free hard copy of the new issue, *Advancing Tenant Protections: Building Tenant Power to Achieve Renter Equity*, at: <https://nlihc.wufoo.com/forms/z172cq1w0jo1lch/>

Tenant Talk is a semi-annual newsletter created by NLIHC to engage residents in housing advocacy. Each edition highlights innovative approaches and recent victories in communities throughout the U.S. and features discussions about the key issues playing out in Congress. The new edition of *Tenant Talk* will highlight the rapid growth of tenant protections in our country and the role played by tenants in the movement for tenants' rights.

History shows that [tenants play an important role](#) in shaping housing policy during times of crisis. Power imbalances have probably always existed between owners of shelter and those who

need access to this shelter to survive, but these imbalances changed during the era of rapid industrialization in the nineteenth century, when tenancy became more common in many parts of the U.S. Since then, tenant groups have formed to fight against unjust living conditions, high rents, and evictions – and that’s just to name a few concerns! In places with histories of tenant movements, such as New York City, the first tenant-related laws were passed as early as the [1860s](#), and new laws have been fought for by tenant groups ever since. These advocacy efforts have shown time and time again that tenants have the power to push for and enact essential protections, especially during times of crisis. We know tenants like you are eager to continue the struggle for long-term tenant protections, and we hope this issue of *Tenant Talk* will be helpful in that journey.

The new issue will give an overview of a broad spectrum of individual, local, and national protections that can be utilized to keep renters in their homes regardless of their income or background. The publication will include articles by renters and tenant advocates, including some members of the NLIHC Tenant and Community Leader cohort, as well as by people with lived expertise who have been impacted by tenant protection legislation. As always, the issue will provide updates from NLIHC on policy, racial equity, and research developments.

If you would like to receive *Tenant Talk* for free through the mail, please fill out this [quick-and-easy form](#) to let us know how many copies you would like. Please note that you can order up to five copies at this time. Please also feel free to share the registration link with your network and others who might be interested.

Nebraska Strategic Housing Council Releases Framework for Addressing State’s Housing Needs

The Nebraska Strategic Housing Council released [Nebraska’s 2022 Strategic Housing Framework](#) on January 5. The Framework addresses two main challenges: housing affordability and the lack of safe, diverse housing options across the state. The Framework establishes two shared priorities to pursue over the next five years: reducing the number of housing cost-burdened households by 44,000 and developing and rehabilitating 35,000 affordable and attainable homes.

“The great need for affordable housing that is shown within this plan is no surprise to the Nebraska Housing Developers Association and its members who have been advocating and developing affordable housing in Nebraska for over 25 years,” said Carol Bodeen, director of policy and outreach at the Nebraska Housing Developers Association (NHDA). “The Vision of the Framework states that ‘affordable housing is the driver of community wellbeing and economic opportunity’. We celebrate the attention that is being applied to affordable housing, and we applaud NIFA and the Nebraska Department of Economic Development for their work on this project, as well as our other NHDA members who contributed.”

The Nebraska Investment Finance Authority (NIFA) leads the Strategic Housing Council, a coalition of government officials, nonprofits, businesses, and housing developers. To inform the Council’s planning process, each Council member hosted small-group or one-on-one “Meetings

in a Box” with community members to gauge their perceptions of the state’s housing needs. These conversations took place in April and May 2022. The Council synthesized takeaways from these conversations to identify challenges and ideal outcomes. The publication of [Nebraska’s 2022 Statewide Housing Needs Assessment](#) in June 2022 also provided insights for the Framework.

According to the Framework, 44% of Nebraskans earning less than \$75,000 per year are housing cost-burdened. Rising construction and loan costs, limited developable land, regulations including zoning restrictions, and limited ability to take financial risks – especially for developers in rural areas – all contribute to housing unaffordability. The Framework also highlights NLIHC’s *Gap* data, which demonstrate that the shortage of affordable housing is most concentrated among the lowest-income renters. NLIHC’s *Gap* report shows that the lowest-income households face the greatest cost burdens, with [85%](#) of extremely low-income Nebraska renters paying more than 30% of their income on rent and utilities.

The Framework also describes the lack of diverse housing options and its impact on elderly Nebraskans, people with disabilities, people experiencing homelessness, the working poor, and other communities. Root causes of the shortage of diverse housing include lack of construction workers and private capital (especially in rural areas), population growth that outpaces new housing development, and deteriorating housing stock. The Framework highlights the disproportionate impact of the housing shortage on historically underinvested communities. Participants in “Meeting in a Box” conversations emphasized the need for housing development that prioritizes access to transit, walkable communities, green spaces, and other amenities. Residents of historically underinvested communities also pointed to the potential of mixed-income development to reduce the concentration of poverty, provide more resources for public schools, and promote integration. In both urban and rural communities, the lack of diverse housing options prevents employers from hiring new workers and discourages new businesses from relocating, which constrains the state’s overall economic development. Rural areas especially struggle to attract the resources and expertise that are necessary to develop sufficient housing.

The Framework includes a Package of Strategies that recommend policy solutions in response to the shortage of affordable housing in Nebraska, including four strategic pillars: financial support and incentives for development, education and policy, special populations and a safety net, and workforce and community capacity. Each strategic pillar encompasses a set of goals to be achieved by 2028.

To improve financial support and incentives for development, the Framework sets out three goals for the state: to prioritize flexible and efficient state funding for housing initiatives and program improvements, to create or strengthen collaborative and diverse funding structures that enable communities to meet their needs, and to establish new state and local financial policies that incentivize affordable housing development and risk mitigation. The priority actions that fall within this pillar are to secure diverse, dedicated revolving or recurring statewide housing funding sources that draw from national best practices and are tailored to specific income brackets; to provide tools or programs that de-risk development for rural and small developers; to leverage diverse funding sources; and to pilot a social impact bond to invest in local supportive housing. This strategy proposes a subcommittee of the Strategic Housing Council that would

make recommendations to improve the flexibility and efficiency of existing state housing programs and tax incentives, and the strategy encourages the state to evaluate the use of “American Rescue Plan Act” State and Local Fiscal Recovery Funds (SLFRF) to inform future investments, including preparedness to effectively harness future federal funds. This pillar also recommends the creation of a Strategic Housing Council workgroup dedicated to developing model recommendations, policies, and practices for local housing finance; exploration of further state incentives for housing development; and support for current and new housing innovation programs that encourage unique approaches to the creation of affordable housing.

The education and policy pillar focuses on ways to overcome limited capacity and enable communities to learn from others’ experiences. The priority action that falls under this pillar is to create a model toolkit that addresses how local communities can develop affordable and attainable housing. The toolkit should include model building codes, ordinances, incentives, and other resources that enable local governments to identify best practices, reduce burdensome and time-consuming procedures, account for needs specific to each community, identify mechanisms to remove common barriers to housing development, and provide materials that are accessible to all Nebraskans. In addition, the Strategic Housing Council should work with a land use and zoning consultant to develop a series of best practices, including a model zoning code, that is applicable across Nebraska. The Council should also work with county and city planners to adopt charter amendments or pass ordinances to facilitate infill housing, upzoning, and manufactured housing. To inform educational resources and policy change, the Strategic Housing Council should partner with the League of Municipalities to define barriers to diversified housing across Nebraska. The second goal that is part of the education and policy pillar is to engage state, community, and municipal leaders on the need for diverse housing options to create healthy, vibrant housing markets where people want to live. Achieving this goal will require educating public officials and their staff about how to incentivize affordable and diversified housing, which will cultivate elected officials and other decision-makers to be housing champions that lead in the process of implementing the Framework.

The third pillar sets out to provide accessible, fully integrated housing to meet the needs of low-income people, people with fixed incomes, and special populations. The first priority action that falls under this pillar is to support the development of 10,000 affordable homes for those earning less than \$22,000 per year. Achieving this goal will require developing rental homes with supportive services, creating subsidies and incentives to rehabilitate older neighborhoods for affordable housing, advocating to increase funding for existing federal housing programs, and expanding state-funded programs to build deeply subsidized housing. This pillar also recommends studying the cliff effect of public assistance programs on housing stability, identifying best practices from other states, and making recommendations to the state legislature and agencies on how to mitigate cliff effects. Finally, this pillar sets the goal of ending chronic homelessness in Nebraska by advocating for and committing to implementing Nebraska’s statewide plan for ending homelessness, “[Opening Doors: 10-Year Plan to Prevent and End Homelessness in the State of Nebraska](#).”

The fourth pillar focuses on strengthening all communities’ capacity to design, develop, and implement housing solutions with a sufficient and sustainable workforce that allows Nebraska to grow economically. The priority actions that fall within this pillar include developing a home building academy that supports and expands existing education in the construction trades,

offering a package of solutions to increase homeownership among Nebraska's workforce, and incentivizing manufactured housing to alleviate workforce challenges in rural Nebraska. This pillar recommends incentivizing employers to invest in housing and community economic development, building rural communities' capacity to promote readiness for housing development, and establishing a network of rural regional builders to create a more consistent project pipeline, among other strategies. Finally, this pillar establishes the goal of increasing the number of people working in the construction trades by redeveloping the construction trade pipeline in primary, secondary, and non-formal education (including a home building academy), encouraging communities to take on financial risk and support the establishment of a local building industry, streamlining the licensure process to better match work opportunities with skills and education, and creating incentives to ensure that manufactured housing produced in Nebraska stays within the state.

To make progress towards the Framework's goals, workgroups dedicated to each of the four pillars will meet monthly. The Strategic Housing Council will continue to meet three times annually to track progress, ensure coordination between the workgroups and statewide housing practitioners, and consider updates to the Shared Priorities.

To read the complete Strategic Housing Framework, visit: <https://www.nifa.org/housing-framework>

NLIHC in the News

NLIHC in the News for the Week of January 15

The following are some of the news stories to which NLIHC contributed during the week of January 15:

- "Rough Sleepers – The Growing Problem of Homelessness in America" *Forbes*, January 18 at: <http://bit.ly/3Xpqmgs>
 - "Evictions are picking up across the U.S. Here's what at-risk tenants can do" *CNBC*, January 18 at: <http://bit.ly/3iVrdX1>
 - "HUD revamps Obama-era discrimination rule in rebuke to Trump" *Politico*, January 19 at: <http://bit.ly/3iRAkbq>
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NLIHC News

Where to Find Us – January 23

NLIHC staff will be speaking at the following events in the coming months:

- [Ohio Association of Community Action Agencies Winter Legislative Conference](#) – Columbus, OH, January 26 (Lindsay Duvall)

- National Council on Disability – Virtual, January 26 (Andrew Aurand)
- [Prosperity Indiana Summit and Statehouse Day](#) – Indianapolis, IN, February 1 and 2 (Diane Yentel)
- Public Health: Social Justice and Advocacy, University of Rhode Island Health Studies Department – Virtual, February 7 (Lindsay Duvall)

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