

TENANT TALK

*A Newsletter for Residents of Public and Assisted Housing and Section 8 Voucher Holders,
from the National Low Income Housing Coalition*

Letter from NLIHC Board Chairman George Moses



*NLIHC Board Chair George Moses,
right, welcomes HUD Secretary Shaun
Donovan to NLIHC's conference*

Welcome, readers!

You hold in your hands the first issue of the National Low Income Housing Coalition's *TenantTalk*.

NLIHC has designed this newsletter for you, if you are:

- a public housing resident;
- a Section 8 voucher holder;
- a resident of federally assisted housing;
- in need of such housing assistance;

or if you are otherwise interested in improving the housing of people and families with the lowest incomes.

We hope *TenantTalk* will provide you with two types of information:

1) information on actions the federal government - including the House of Representatives, the Senate, and HUD - is taking on issues related to housing for people with the lowest incomes.

2) information on how residents and resident groups can work with NLIHC

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ON CAPITOL HILL

Advocates Push Congress to Address Legislative Priorities in Last Days of Session

At the National Low Income Housing Coalition (NLIHC), it is our mission to achieve socially just public policy that assures people with the lowest incomes in the United States have affordable and decent homes. As part of our work, we seek to ensure that the U.S. Congress takes action on policies that address the shortage of housing for households with the lowest incomes.

A session of Congress lasts two years, and we are nearing the end of the 2009-2010 session. While Congress is currently on recess so Members can focus on the November 2 elections, the House and Senate will each reconvene for several weeks beginning on November 15. During these final weeks, Congress will tackle a long agenda, one that includes many housing-related items.

It is particularly important that Congress take action on housing legislation during these last weeks of the session; once this current Congress adjourns for the year, any bills that have not been passed will expire and will need to be reintroduced during the 2011-2012 session of Congress that will begin in January.

Following is a list of NLIHC's top policy priorities, along with the status of any related legislation currently in front of Congress. For more information on any of these priorities, you can view NLIHC's policy fact sheets at www.nlihc.org/factsheets.

NATIONAL HOUSING TRUST FUND. Congress has yet to fund the National Housing Trust Fund (NHTF), which was established by law in 2008. The NHTF will provide communities with funds to build, rehabilitate, and preserve housing for people with the lowest incomes. Securing funding for the NHTF is NLIHC's highest priority.



The House of Representatives has twice passed bills providing \$1.065 billion in funding for the National Housing Trust Fund and vouchers that would be used in NHTF homes. While this level of funding has been included in various Senate bills, no bill that includes NHTF funding has yet passed the Senate. (Moving legislation through the Senate can be difficult because of rules requiring 60 votes, a 3/5 majority, to pass most bills.)

Funding for the NHTF is currently included in a Senate bill known as the 'tax extenders bill.' Advocates are calling on Senators to pass the tax extender bill, S. 3793, with NHTF funding, before the end of the year. If the Senate passes this new bill, it will need to be passed by the House before it can be sent to the President for his signature.

HUD APPROPRIATIONS. Federal housing programs receive funding each year when Congress passes a bill, known as an appropriations bill, that funds the Department of Housing and Urban Development (HUD). This bill is called the Transportation, Housing and Urban Development, and Related Agencies, or T-HUD, bill. The federal fiscal year (FY) begins on October 1 and runs through the end of Sep-

tember. Fiscal year 2011 (FY11), for example, began October 1, 2010, and ends on September 30, 2011. This means that the FY11 funding levels for housing programs should have been set by September 30.

However, as sometimes happens, Congress was not able to finalize the FY11 appropriations before the new fiscal year started. Instead, Congress passed a Continuing Resolution, or CR, that continues funding programs at their current levels. The current CR will fund federal programs, including HUD programs, at FY10 levels until December 3.

The House and Senate have each begun work on their FY11 T-HUD bills. The House passed an FY11 T-HUD bill that would provide \$46.6 billion for HUD programs, more than \$1 billion above what the President requested for HUD.

The Senate Appropriations Committee passed a T-HUD bill, but the full Senate has not. A bill summary from the Committee indicates that for all the agencies in the T-HUD bill, the Committee would provide \$.7 billion below the President's request, but the summary does not specify funding for HUD.

Congress will seek to pass all FY11 spending bills, including T-HUD, before the CR expires in early December. Once details are released, NLIHC will issue a call to action to urge advocates to call Congress in support of the best possible HUD budget for FY11.

To see the FY11 Budget Chart for Selected HUD Programs view: <http://www.nlihc.org/doc/FY11-Budget-Chart.pdf>

PUBLIC HOUSING. In July, the House Committee on Financial Services approved H.R. 5814, a major public housing bill introduced by Housing and Community Opportunity Subcommittee Chairwoman Maxine Waters (D-CA) and supported by Chairman Barney Frank (D-MA) and Representative Nydia Velazquez (D-NY). NLIHC believes there are positive aspects to the bill and will work to improve it.

The bill would:

- Authorize the Choice Neighborhoods Initiative;
- Reform HUD's processes for demolishing and selling public housing;
- Open public housing up to more creative financing;
- Allow public housing that serves the aging population to convert to service enriched housing or assisted living; and
- Authorize a pilot program to train public housing tenants in health services.

Choice Neighborhoods (CNI) is HUD's new iteration of the HOPE VI program, and would help revitalize entire neighborhoods that include distressed housing and have a high

number of people in poverty. While CNI did receive funding in FY10, it has not been authorized by Congress and is instead operating under HUD's own guidelines. The House bill would make many improvements to the CNI program.

It is unlikely the House and Senate will pass the public housing bill this year. Instead, some or all of the bill's provisions may be included in FY11 appropriations legislation.

PRESERVATION OF FEDERALLY ASSISTED, MULTIFAMILY HOUSING. The House Committee on Financial Services passed comprehensive legislation that would help prevent the loss of affordable multifamily homes that are assisted with federal funds. The bill, the Housing Preservation and Tenant Protection Act of 2010, was introduced by Chairman Barney Frank (D-MA) and is a high priority of NLIHC.

This bill would:

- Provide grants and loans to for-profit and nonprofit housing sponsors to help keep properties affordable;
- Allow owners to request project-based assistance instead of enhanced vouchers;
- Provide enhanced vouchers to tenants when their assisted housing is converted to market-rate housing;
- Allow states to enact preservation and tenant-protection laws that will not be preempted by federal law;
- Reform the Section 202 Supportive Housing for the Elderly program and authorize a rural housing preservation program for USDA Section 515 properties; and
- Establish a nationwide public database of federally assisted properties to enable policymakers, tenants, and advocates to more effectively monitor and preserve the existing portfolio of affordable housing.

It is unlikely the House and Senate will pass the preservation bill this year. Instead, some or all of the bill's provisions may be included in FY11 appropriations legislation.

SECTION 202 AND SECTION 811. Bills to improve the Section 202 Housing for the Elderly and the Section 811 Housing for Persons with Disabilities programs passed out of the Senate Committee on Banking, Housing, and Urban Affairs on September 30.

The Section 202 bill, S. 118, was introduced by Senator Herb Kohl (D-WI) and would improve how the program supports the development and preservation of very low income housing for seniors. Similar legislation was included in the House's preservation bill described above.

The Frank Melville Supportive Housing Investment Act, S. 1481, was introduced by Senators Robert Menendez (D-NJ) and Mike Johanns (R-NE). The bill would authorize a new

Section 811 demonstration program to promote community integration for people with disabilities. It would also provide states and localities with critically needed Section 811 capital and project-based rent subsidy funding. The House passed a companion bill, H.R. 1675, in 2009.

It is likely the bills will be considered by the Senate and House before the end of the year.

SECTION 8 VOUCHER REFORM ACT. The House Committee on Financial Services approved in July 2009 a bill that would improve the Section 8 program. The bill, known as SEVRA (Section 8 Voucher Reform Act), would make a variety of reforms to HUD's tenant-based voucher program and is widely supported, including by NLIHC.

Among its reforms, the bill would:

- Improve the process for annually distributing voucher renewal funds to public housing agencies;
- Encourage increased earned income by residents and make many improvements to the rent-setting process; and
- Authorize 150,000 new rental assistance vouchers.

The bill stalled, however, because of efforts to implement more stringent identification requirements for residents, a proposal NLIHC and other advocates said would place undue burdens on households.

It is unlikely the House and Senate will pass SEVRA this year. Instead, some or all of the bill's provisions may be included in FY11 appropriations legislation.

FUTURE OF HOUSING FINANCE. Because of the recent foreclosure and economic crises, Congress and the Obama Administration want to reform the country's housing finance system. NLIHC believes that any reform of the country's housing finance system must take into account the housing needs of people with the lowest incomes.

Specifically, NLIHC is calling for a portion of the revenues generated by mortgage giants Fannie Mae and Freddie Mac

to be used to fund the National Housing Trust Fund.

Both Congress and the Obama Administration are expected to release proposals for housing finance reform early in 2011.

OTHER ISSUES. NLIHC is also tracking legislation related to Gulf Coast housing recovery, livable communities, and low income housing tax credits. NLIHC's full policy priorities are at <http://www.nlihc.org/template/page.cfm?id=31>

PETRA

HUD Proposes Major Changes for Public Housing

HUD is seeking major changes to the public housing program in its Preservation, Enhancement, and Transformation of Rental Assistance (PETRA) proposal. HUD's PETRA proposal was first circulated in May and a new version is expected by November.

HUD's PETRA proposal would provide public housing agencies greater access to private resources by authorizing increased federal funding for PHAs that convert their units from the current subsidy systems to the new PETRA subsidy. These increased subsidies could pay loans on private debt, which would help PHAs meet their capital needs. With PETRA, HUD would eventually streamline its 13 existing rental subsidies into fewer programs. HUD says this will create many program efficiencies and make the programs easier for tenants, managers, and owners to use.

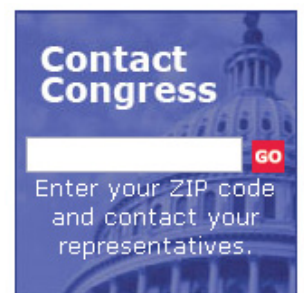
HUD believes that much more could be leveraged from the private market than can reasonably be expected from Congress through annual appropriations. Many serious concerns have been raised about PETRA by NLIHC and others, most notably the potential to lose public housing to private investors if PHAs could not keep up with debt payments.

FIND YOUR MEMBERS OF CONGRESS

The article above describes the important role Congress - the U.S. House of Representatives and the U.S. Senate - plays in determining housing programs and their funding levels. To weigh in on these issues, it is crucial that you know who your federal elected officials are and how to contact them.

Each person who lives in a U.S. state has one Representative and two Senators. You can use the "Contact Congress" box on the front page of the NLIHC website to find the names and contact information of these elected officials, as well as those at the state and local levels.

Each Representative and Senator has an office in Washington, DC, and at least one office in the district that he or she represents. In general, you should call the Washington office to comment on legislation. The local office, on the other hand, is designed to offer constituent services - services to residents who live in the elected official's district. You should call this local number if you are looking for affordable housing, are having a landlord issue, or otherwise need assistance with a housing-related issue.



Go to www.nlihc.org and find this box on the bottom, left side of the page. Then enter your ZIP Code to access information about your elected officials.

PROTECTING TENANTS AT FORECLOSURE

If you are a renter and your landlord goes into foreclosure, a law passed by Congress in 2009 can help ensure that you are not forced to leave your home with little or no notice.

The law, the Protecting Tenants at Foreclosure Act (PTFA), was passed after advocates, led by NLIHC, explained to elected officials that the foreclosure crisis affects renters as well as homeowners. NLIHC and others explained that when landlords defaulted on their mortgages, renters in good standing were too often evicted immediately or on very short notice. In fact, NLIHC research shows that renters make up as many as 40% of the households affected by foreclosure.

To address this problem, Congress passed and President Obama signed the Protecting Tenants at Foreclosure Act (PTFA), Public Law 111-22. The law went into effect in May 2009. Subsequent legislation that passed in July 2010 extended PTFA; the law's provisions now expire December 31, 2014.

Generally, PTFA requires any purchaser of a residential property that had been in foreclosure to either honor any existing leases or to provide tenants with a minimum 90-day notice prior to initiating an eviction action.

Because there is no federal agency responsible for enforcing the provisions of PTFA, tenants and their advocates must understand the provisions of the PTFA and be prepared to assert their rights. Resources at www.nlihc.org provide information that can help you navigate this process, including links to the statute of the law and sample letters that tenants can send to new owners of buildings, Section 8 administrators, or judges.

The PTFA is a national law that applies in every state and provides a minimum of protection in each state. If, however, a state or local community provides stronger protections for tenants, then these more protective provisions apply instead.

Because the protections of the PTFA will differ with the laws of the applicable state and locality and individual facts, it is very important that you seek legal advice.



I am renting a house that is in foreclosure. What does PTFA mean for me?

Under the Protecting Tenants at Foreclosure Act (PTFA) a new owner needs to give you a 90-day notice to leave before ending your tenancy. If you have an unexpired lease, you may be able to stay until the end of the lease, unless the new owner will live in the property. In that case, you can be required to leave after the new owner gives the 90-day notice. It does not matter if your lease is written, oral, or is month-to-month, so long as the lease is one that is recognized by your state.

The 90-day period begins when the person or entity that acquires the title to your home provides you with the required notice. The form of the notice is defined by local law. There are some limits on the tenancies that can be protected under the PTFA; see www.nlihc.org for more information and seek legal advice.

What if I am a Section 8 voucher holder?

If you are renting your home using a Section 8 voucher, you also have the right to remain in your home and the new owner must accept the Section 8 payment. If you have a Section 8 voucher, you should contact the agency that issued your voucher for more information.

What can I do if the new owner says I have to leave in fewer than 90 days?

You can send a letter telling the new owner about the law. Make sure that you keep a copy of the letter you send; it may help to go to the post office and pay for a return receipt to make the new owner sign to prove they got your letter. If you get a green return receipt signed by the new owner, be sure to keep it. You should also offer to pay the new owner your rent.

What if the new owner files an eviction?

You should file an answer with the court that says the new owner failed to give the notice required by the Protecting Tenants at Foreclosure Act, Pub. L. No. 111-22, §702 (2009) and go to court on the date the court sets for a trial. You should take to court the copy of your letter to the new owner; the green return receipt, if you received one; a copy of your lease, if you have one; and a copy of the PTFA law, available at www.nlihc.org.

INTERVIEW WITH MATT GERARD

*President, Minneapolis Highrise Representative Council
Resident Commissioner, Minneapolis Public Housing Board
of Commissioners
Member, NLIHC Board of Directors*

Hi, Matt. Tell us about yourself!

I am 42 years old and I have lived in Minnesota all my life. I am originally from Duluth, MN, but have been living in Minneapolis for the past 15 years. I have lived in Minneapolis public housing for over 10 years. I am currently disabled and have been working on residents issues for 10 years now.

What are your current roles, both locally and nationally?

I am currently President of the Minneapolis Highrise Representative Council (MHRC), and I am also Resident Commissioner of the Minneapolis Public Housing Board of Commissioners. I am in my first term as an NLIHC board member.

What issues is MHRC working on?

MHRC was an active partner in the 2010 Census. MHRC received a plaque and letter of recognition from the U.S. Census Bureau for tenant organizing and extensive work in “raising awareness and inspiring participation in the 2010 Census” among MPHA residents. I am very proud of the residents of MPHA and the MHRC staff for all their hard work in the endeavor!

Now, MHRC is gearing up for the midterm elections on November 2. MHRC will make sure all residents are registered to vote and know what polling place they need to vote at! (See page 7 for more on the upcoming elections.)

MHRC is also examining MPHA’s annual proposed policy changes. MHRC and MPHA will have many meetings to discuss proposed changes in MPHA policies and to find way to make these changes benefit public housing residents.

What issues do you work on as board member of the National Low Income Housing Coalition?

At the national level, I am especially interested in encouraging Congress to provide \$1.065 billion in funding for the National Housing Trust Fund. I am also following HUD’s PETRA proposal, which would change the way HUD’s 13 assisted housing program are funded, and plans for funding much-needed capital improvements in public housing.

In addition, I am on the Nominating Committee of NLIHC’s board, which means I help identify and nominate future board members from all over the country.



NLIHC board member Matt Gerard, right, speaks on resident issues at home in Minnesota.

What part of the experience of being an NLIHC board member has been the most valuable to you?

It means a lot to see all the residents and resident activists who are working very hard to make sure there is quality, affordable, and modern housing for all people in the United States.

How did you become involved in resident issues?

I went to my public housing resident council meeting and heard that I have a “voice” in the building I live in, especially on issues like security, building management, and building maintenance, which are very important to me. Plus, I got to meet my fellow residents who are interested in making my public housing building a better place for everyone to live.

What advice do you have for others who want to get involved in improving their housing?

Go to a Resident Council Meeting if your public housing building is organized. Go to a citywide Tenant Board meeting if the residents are organized at the city level.

Find out when the next PHA Board of Commissioners meetings are in your town, and see, look, listen, and most importantly *learn* how public housing agencies and HUD operate to make living situations better for yourself and fellow residents.

Finally, join NLIHC! As a member, you’ll learn about housing policies being considered by Congress and HUD, have access to the latest news and data, and have the opportunity to connect with other residents and resident associations from across the country. Join today at www.nlihc.org/join !

NLIHC ANNUAL HOUSING POLICY CONFERENCE

Plan to join us in Washington, DC, from Sunday, March 27, through Wednesday, March 30, 2011, for NLIHC's Annual Housing Policy Conference and Lobby Day! Over the four days, you'll have the opportunity to gain a new perspective on the housing issues you face at home.

- The conference begins on Sunday evening with a reception and a welcome from NLIHC's resident issues committee.
- Monday, March 28, and Tuesday, March 29, are filled with workshops designed to bring you the latest in housing policy news and research, and help you figure out how to put that information to use back home. You'll also hear from several nationally known speakers and HUD and Congressional leaders.
- Wednesday is lobby day! NLIHC staff will give you everything you need to prepare to meet with the housing staff of your Members of Congress.

Throughout the conference, you'll have the opportunity to engage with policy experts and residents from across the country.

To support resident engagement, NLIHC offers deeply discounted rates for tenants of affordable housing and people

who self-identify as having low incomes. In 2010, NLIHC assisted more than 160 tenants in attending the conference.

At the 2010 conference, attendees heard from HUD Secretary Shaun Donovan, who gave an impassioned keynote speech reflecting on his first year as Secretary and the year to come. "Housing," said the Secretary, "is not about bricks and mortar, not about regulations...It is about human beings."

Mr. Donovan described HUD's actions under President Obama to improve federal housing policy, and emphasized the importance of housing as the cornerstone to economic and social success. "If there isn't equal access to safe, affordable housing, there isn't equal opportunity," he said.

In addition to hearing from other HUD and Congressional speakers, residents participated in two workshops specifically designed to provide tenant input into HUD policies. Speakers and residents in the packed sessions discussed tenant participation and protections in rental assistance programs and talked about

how local tenant groups can work to build a long-term movement in partnership with HUD and national groups.

Resident attendees also were invited to a Wednesday training session designed to help them feel comfortable when meeting with their Members of Congress.



A number of the 86 New York City Housing Authority residents who attended NLIHC's 2010 housing policy conference.

Interested in attending the 2011 NLIHC Annual Housing Policy Conference and Lobby Day?

NLIHC's 2011 conference will be held Sunday, March 27, through Wednesday, March 30 at the Omni Shoreham Hotel, at 2500 Calvert Street, NW, Washington, DC.

Public housing residents and voucher holders interested in attending NLIHC's annual housing policy conference should speak to your PHA. Many times, the agency can pay for a delegation to attend the conference. And NLIHC always offers deeply discounted rates for public and assisted housing residents and other low income people who are paying their own way. Email bill@nlihc.org for more information.



"I was very fortunate to attend the 2010 NLIHC conference. I was amazed at all that I learned, and my entire community benefited greatly from the information I received." - Kim P. Ford, New Orleans, LA

TUESDAY, NOVEMBER 2 IS ELECTION DAY!

Where will you be on Tuesday, November 2? At the polls, of course! It's Election Day!

What does voting have to do with the condition of my home and neighborhood? Plenty! Elected officials - from your town's mayor to members of the U.S. House and Senate - will pay attention to affordable housing issues only if they know that people who care about these issues VOTE!

Here's what you can do to prepare for Election Day:

1. Register to vote. If you want to check whether you are registered, find out where your polling place is, or learn whether you can vote absentee, call your local board of elections. The website www.nonprofitvote.org has links that can help you find the state or local office that can answer these questions.

2. Remind others to register and to vote. Do you live in a building or neighborhood with other potential voters? Are you a member of a resident council or a tenant association? If so, you are in an ideal position to talk to others about the importance of voting. View NLIHC's Voterization materials at www.nlihc.org/VOTE to learn how you can create a plan to register, educate, and mobilize your fellow residents in the weeks and days leading up to Election Day.

3. VOTE! Mark Tuesday, November 2, on your calendar and make sure you get to the polls! If you know you won't be able to make it to the polls on that day, call your local elections office ahead of time to request an absentee ballot or find out about other early vote options. Make sure your friends and neighbors have voted as well!

Questions? Want to find out more about how you can make a difference in your community? Access the resources at www.nlihc.org/VOTE and www.nonprofitvote.org, or call NLIHC's outreach team at 202-662-1530 x316.



Letter from George Moses

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to support better homes in communities across the country, and how you can, too. To this end, we will provide you with articles that present news from Washington, DC; stories from residents and resident associations across the country; and tips for becoming more involved locally.

As a former resident of assisted housing, I know firsthand the importance of learning about the policy issues that affect where we live. I also know how rewarding becoming involved can be.

I hope to connect with you in the future and learn about housing in your community. In the meantime, I hope you'll read what's here, and then take action.

- Call your Member of Congress in support of funding for the National Housing Trust Fund or another policy.
- Call NLIHC at 202-662-1530 x316 to learn more about getting involved.
- Vote on November 2!

Yours in advocacy,



Get TenantTalk delivered to your home!

If you received TenantTalk from a neighbor or colleague, please fill out the form below to receive TenantTalk directly.

Name _____

Mailing Address _____

City, State, ZIP _____

Email _____

Phone _____

Are you involved in a local tenant association? ☐ Yes ☐ No

Name of Organization _____

Do you: ☐ live in public housing ☐ live in assisted housing
☐ have a Section 8 voucher ☐ other

Mail to: NLIHC, 727 15th Street #600, Washington, DC, 20005
You can also email outreach@nlihc.org (subject: TenantTalk) or call 202-662-1530 x316 to be put on the list. Thank you!

A Newsletter for Residents of Public and Assisted Housing and Section 8 Voucher Holders, from NLIHC

ABOUT NLIHC

The National Low Income Housing Coalition is dedicated solely to achieving socially just public policy that assures people with the lowest incomes in the United States have affordable and decent homes. Established in 1974 by Cushing N. Dolbeare, NLIHC educates, organizes, and advocates to ensure decent, affordable housing within healthy neighborhoods for everyone.

Contact NLIHC. Your first point of contact at NLIHC is your Outreach Associate. NLIHC's Outreach Associates are members' direct contacts for answers to federal policy or membership questions. NLIHC's Outreach Associates are each assigned to specific states. Email outreach@nlihc.org or call Elisha Harig-Blaine at 202-662-1530 x316 to be put in touch with your Outreach Associate today!

Become a Member. Join NLIHC today to stay informed about affordable housing issues, keep in touch with advocates around the country, and support NLIHC's work. Residents of public or assisted housing or other self-identified low income individuals can join for \$3 a year. Resident association memberships are \$10 per year.

Join at www.nlihc.org/join. You can also e-mail us at outreach@nlihc.org or call 202-662-1530.

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