

## MEMORANDUM

**Date:** Oct 19, 2020

**To:** Marisa A. Zapata, PhD  
Director, PSU-HRAC

**From:** Lauren E. M. Everett  
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**Subject:** Updates on COVID-19 and disaster response, housing, and people experiencing homelessness nationwide, October 12 - 18.

### News

1. The Trump administration released [CDC eviction moratorium guidance](#) that benefits landlords over renters. Read more from NLIHC's Diane Yentel in the weekly call recap below.
2. Nearly a year after [Oakland-based Moms 4 Housing](#) occupied a vacant home for two months to create a dialog around the principle of housing as a human right, the house has been purchased by the Oakland Community Land Trust. It will be transitional housing for mothers experiencing homelessness.
3. In [Missouri](#), protesters organized by KC Tenants chained themselves to the doors of the county courthouse and shut down virtual eviction proceedings with online disruptions. They are calling on Jackson County Circuit Court Presiding Judge David Byrn to halt eviction hearings and reestablish the eviction moratorium. They are suing the judge with the ACLU in federal court, for violating the federal ban on evictions.
4. Utilizing [hotels as shelter](#) for people experiencing homelessness is not only a benefit for the guests, it can also be a crucial lifeline for the business owner. As the hotel industry continues to adapt to life with COVID, non-congregate<sup>1</sup> shelter and office space are two of the most common [adaptive reuses](#) of hotels.
5. As cooler weather comes to the Pacific Northwest, [Seattle](#) shelter providers are once again seeing facilities at capacity. More troubling, federal funding for hotel rooms is set to run out at the end of the year. Providers are now facing a dual dilemma for clients with higher needs. King County Council voted Tuesday to approve [a 0.1% sales tax increase](#) to fund the purchase of hotels and former nursing homes for non-congregate shelter.
6. The reverberations of a bitter battle over the use of the Lucerne Hotel to shelter houseless men continue to ripple through [New York City's](#) Upper West Side neighborhood and beyond. A newly formed resident group in the Financial District announced [a lawsuit](#) to

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<sup>1</sup> Shelter where individuals can isolate, either alone, with one other or with their family or partners.

prevent the transfer of the Lucerne residents to their downtown neighborhood. [Meanwhile in Queens](#), the hotel program for New Yorkers recently released from prison is being hailed as a success.

7. Researchers from [the University of Washington conducted a study](#) to examine the large-scale effect of staying in a hotel versus traditional, congregate shelters. They found that the stability of hotel living brought benefits that extended beyond the pandemic.
8. One week before the state moratorium is set to expire, [Massachusetts](#) announced a \$175 million eviction prevention plan. \$100 million will be allocated for rental assistance, nearly \$55 million for rapid rehousing programs, and \$12.3 million for legal aid and mediation. [Massachusetts shelter providers](#) are also facing a deficit in shelter space as winter approaches.
9. In [Washington D.C.](#), COVID has made it even more difficult than usual for people experiencing homelessness to access restrooms.
10. About 9,000 residents of public housing in [Los Angeles](#) will receive free wifi for the rest of the school year.

## National Low-Income Housing Coalition (NLIHC) weekly call and updates (October 13)

**Noah Patton, Policy Analyst, NLIHC:** There have not been any special approvals for hurricane relief other than from FEMA. They're conducting damage assessments which will then inform their response. Those who have received relief for Hurricane Laura will not also receive relief for Hurricane Delta, and this also applies to rental assistance. That would constitute a duplication of benefits.

**Diane Yentel, NLIHC:** The CDC just issued [an FAQ on their eviction moratorium](#). What happened is that there were three lawsuits against the federal government by various landlord associations. The Ohio entity filed a motion to dismiss their suits, based on a brief in the Atlanta case. This briefing is also reflected in the new FAQ. The moratorium still prevents eviction for nonpayment of rent for eligible tenants. It does make changes that put more power back in the hands of landlords. One of the changes is that the FAQ says the order is not intended to prevent landlords from starting eviction proceedings. This is very different from what the moratorium initially said, about starting any action that would lead to the removal of a tenant from their home. Now the guidelines say that the eviction just can't be carried out until the moratorium ends. This begs the question of why a landlord would want to start an eviction now, if they can't carry it out until January. I think the answer is that it creates pressure that will get the resident to leave earlier. They might just leave if they know the filing is going to happen, in order to avoid having an eviction on their record. Low-income renters also might not have the technology available to them to attend a virtual hearing.

The other change made in the FAQ is that landlords may challenge the truthfulness of the tenant's statement, but it doesn't provide any kind of procedure to do that. Instead it provides new

opportunities for landlords to pressure tenants to produce documentation, etc. What some courts are doing is only allowing challenges to be made if a landlord provides proof that the tenant's declaration is suspect. So the burden of proof should remain on the landlord and we should continue to push for that. The FAQ also says landlords have no obligation to inform tenants about their rights. The moratorium never said they did, but now they are clarifying that it doesn't. We need to pressure HUD to provide information to residents of publicly-owned housing. The DOJ is supposed to be enforcing this moratorium, but as far as we can tell there's no place for a tenant to follow up if that doesn't happen. I also want to make the point that even though this means that a landlord can file an eviction, this is precluded in many places by state and local law, so it's important to make that clear. This points again to the urgency of federal action to establish a uniform eviction moratorium for the duration of the crisis.

**Agatha So, Policy Analyst, UnidosUS:** Many Latinos—especially renters—were already spending too much on rent before the pandemic. More than one third of Latino renters were paying more than 40% of their income on rent before the pandemic. They're also falling behind on rent more than any other population. Especially in high-cost cities like Los Angeles, many Latinos live in homes without adequate space to physically distance. Latinos are also more likely to live in industries that have closed or reduced their workforce; they make up one third of the service industry workforce. Nearly 70% of households have experienced reduced wages and are worried about their ability to pay rent. Latinos are more likely to rent homes from landlords that have fewer assets, which is an issue as far as not being able to pay back rent. An estimated 1.3 million children live in households that did not receive their stimulus payment. Many Latinos who lost income have not applied for unemployment because they didn't know they were eligible. We've been calling for inclusive relief to make sure that every household who needs relief has access to it.

[Read the report](#)

**Jason Richardson, National Community Reinvestment Coalition:** We've done several reports over the past few years about gentrification and redlining. Our newest report is about the intersection between redlining and negative public health outcomes. We drew on the redlining archive at the University of Richmond, and used the CDC's Social Vulnerability Index. It's a scale from 0-1 that measures the capability of a community to withstand natural and human-created disasters. We created maps that overlay the original HOLC rating maps with life expectancy from the SVI rating, so show a correlation between the two. In certain neighborhoods the differences are extreme; for example, in Chicago where there was a 20% difference in life expectancy. Across the US there were statistically significant correlations between the share of a census tract that was redlined and health issues like asthma, COPD, diabetes, hypertension and obesity.

[Read the full report](#)

**Brie Sillery, Communications Strategist, New Mexico Coalition to End Homelessness:** At the beginning of the pandemic we started having weekly meetings with the department of health, and have continued those on an ongoing basis. This is where we were able to make a lot of regular

connections throughout the state. New Mexico is an expansive state, so this was a way to get providers together to exchange information about how individual shelters were responding. We were able to learn about what tests were being offered, and where and how. These meetings were invaluable to get us on the same page and further the relationship with the Department of Health. Throughout these meetings the Department has become increasingly interested in housing and homelessness. We've introduced protocols and systems statewide in these meetings, which then go to the governor's desk to be signed. We wanted to have an immediate space to be able to organize in case of an increase in COVID cases. State levels have been pretty low, but this has changed in the last week. We now have over 90 cases in our congregate shelter in Albuquerque, which has had to close its doors temporarily.

**Steve Fischbach, Litigation Director, Virginia Poverty Law Center:** We're the backup center for all the Legal Aid systems in Virginia. [Today's presentation](#) is about eviction data in the state, how we collect it, and how we use it in our work. The Eviction Lab at Princeton University is one partner, the Virginia Court Data website (created by an individual), and the RVA Eviction Lab are the sources. Virginia localities have some of the highest eviction rates in the nation. Richmond is number two in the nation. The RVA Eviction Lab recently released a report looking at evictions since the pandemic. Here in Virginia, jurisdictions with high eviction rates also have high COVID rates, which highlights the need for a robust eviction moratorium. Eviction filings have dropped since the pandemic began, which suggests that the various moratoriums have been effective. However, they are still occurring in large numbers. We've set up an eviction tracker, which revealed that over 32,000 cases were heard in court since the moratorium expired in June, and over 8,000 eviction orders have been issued. In the next eight weeks there are over 9,000 cases scheduled across Virginia.

### **Harvard Joint Center for Housing Studies Housing Research Seminar: *The Rent Eats First: Using Residual Income to Measure Rental Affordability* (webinar, October 15)**

**Alexander Hermann, Research Analyst, Joint Center for Housing Studies:** Fully 62% of working-age renter households had residual-income cost burdens in 2018. They are nearly universal for lower-income households but also high for moderate-income households with children. Subsidies that target the deficit can put a dent in these income burdens.

Rent is the single largest expense for most renter households; it is paid on a monthly basis; and the consequences of nonpayment are potentially disastrous. For these reasons, "the rent eats first." Over time a greater share of US households are spending a greater share of their incomes on rent. In 2018, 47% of households spent more than 30% of their income on rent, which results in less spending on other goods and services, including essentials like healthcare and food.

The percent of income measurement is the standard way to measure affordability. It has a long history and is deeply rooted in federal housing policy, so it allows us to understand affordability

across large periods of time. The weaknesses are that it's easy to ignore household and market circumstances and other nuances. The 'residual-income cost burden' considers necessary housing and non-housing expenses for a household. It's measured by what's leftover after subtracting housing costs from income. The weaknesses are that it's data intensive, can't account for variation in need, or for preferences.

## Research Questions

- Using the residual-income burdens approach
  - How many households in the US have enough income to support a comfortable standard of living, after accounting for their housing costs?
  - How does affordability vary by household type, income, geography, and other circumstances?
  - How does this compare to the 30 percent of income standard?
  - What, if any, policy interventions improve affordability the most?

**Data sources:** The EPI Family Budget Calculator estimates household expenditures for every county in the US. The estimates vary by number of people in the household, and it measures what's needed not for basic survival, but for a modest but adequate standard of living. It includes transportation, health care, food, childcare, taxes, other necessities, and housing. The ACS tells us about household incomes. So we use a combination of the two to get the residual income. When you consider an example case, the family is not cost-burdened using the traditional method, but ends the year with a deficit. Our sample is working-age households with 1-2 adults and 0-4 children. After exclusions for various reasons, we capture 71% of these households.

**Average annual estimated expenses:** we're trying to determine what a household needs to live modestly but comfortably, not the bare minimum. Most cost-burdened households are also burdened in the residual income measure. However, there are 5.3 million more households that are cost burdened using the Residual Income method, and there are 942,000 that are cost burdened using the traditional method, but not the Residual Income method. Income deficits are also larger on average for low-income renters and households with children.

Simulated policy interventions: housing subsidy (for all households who spend more than 30 percent of their income on housing, set housing costs equal to 30%), and housing and transportation subsidy (set housing and transportation costs to 45% combined). Residual-income cost burdens decrease only somewhat with housing-focused policy interventions. However, the income deficit for low-income renters would be reduced substantially.

Q: Wouldn't landlords raise the rents if we provided subsidies to everyone, to capture that increase in spending capacity?

A: There's a reason we don't provide subsidies to everyone, so you could start with the lowest-income bracket first.

Q: Is there anything you can say about the differences between city versus rural versus suburban?

A: One thing about this model is that the role of income is really key. So the share of renters with RI housing cost burdens is much lower, on average, in high-income and high-cost markets. If you're a lower-income renter of course, your likelihood of being cost-burdened is high anywhere. This finding tells a slightly different story about cost burden than the traditional measurements.

Q: The finding that the average income-deficit deficit for households with children and/or incomes under \$15,000 is larger points to a policy intervention that targets childcare. Did you model that?

A: We did model it, and it didn't move the needle as much as you would think. There are a lot of other costs besides childcare, for example food and healthcare. But there's definitely a lot to think about here as far as targeted interventions for families with children.

### Other resources:

1. [A new report by the Center of Poverty and Social Policy at Columbia University](#) finds that expanding the Section 8 program could reduce the national poverty rate by nearly a quarter.
2. HUD's guide to [Creating a Cultural Equity Plan: Organizational Policies and Procedures](#)
3. How [strategies for flu mitigation](#) among public housing and low-income residents may apply to COVID-19.