

MEMORANDUM

Date: October 12, 2020

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

From: Lauren E. M. Everett
Graduate Research Assistant, PSU-HRAC

Subject: Updates on COVID-19 response, housing, and people experiencing homelessness nationwide, October 5 - October 11

News

1. The New Leaf Project in [Vancouver, B.C.](#) distributed payments of \$7,500 in Canadian dollars to almost fifty people experiencing homelessness with encouraging results and improved outcomes for the majority of participants.
2. In the wake of the Powderhorn Park encampment sweep, unhoused people and their advocates worry about the freezing [Minneapolis](#) winter around the corner.
3. A new study by the University of Washington and King County found that [moving houseless people out of traditional shelters and into hotels](#) helped slow the spread of COVID-19.
4. A problematic program in [Bay Area public housing](#) is teaching landlords how to legally discriminate based on criminal records, which has a racialized outcome.
5. In [Connecticut](#), housing assistance for people experiencing homelessness through the state's 2-1-1 system isn't available to people living in motels, who aren't considered "literally homeless." This gap in services has led to a substantial increase in individuals, families, and children living in motels.
6. The [Northeast Ohio Coalition for the Homeless](#) has been coordinating voter registration outreach for the region's houseless community. Local shelters will serve as addresses for vote-by-mail ballots when needed.
7. *Dwell* examines various ways [adaptive reuse of hotels and offices](#) can be deployed to address the needs of the COVID era.
8. A proposed bill in California known as [the CRISES Act](#) would establish a pilot program where community-based organizations serve as first responders in a mental health crisis. Local programs in [Eugene](#) and [Portland](#) (forthcoming) use a similar model. Oregon Senator [Ron Wyden](#) has also proposed a national act inspired by Eugene's CAHOOTS program.
9. A new report from the Pew Research Center finds that [the economic impacts of the pandemic](#) are most acutely felt by low-income adults and Black and Hispanic households.
10. Landlords and tenant advocates in [Oklahoma](#) are jointly working toward reforming the state's eviction laws. Last year there were 44,612 eviction cases statewide.
11. In [Texas](#), The City of Housing and Travis County are each investing \$5 million in the new COVID-19 Homeless Respite and Rehabilitation Center. The facility meets a key

recommendation of the Harris County Homeless Taskforce by providing support for some of the most vulnerable unhoused community members during the pandemic.

12. Evictions continue nationwide despite the CDC moratorium. In [Tampa, FL](#) locks were changed on the homes of more than twenty residents in one complex alone, without evictions being filed in court. In [New Hampshire](#) hundreds of renters have received eviction notices. [New York](#) City has roughly 14,000 outstanding evictions, and 1,500 motions filed in recent months. The [Washington DC City Council](#) responded to an investigation that uncovered hundreds of false affidavits from process servers delivering eviction case summons, by requiring that the delivery of the documents be captured on video. The new legislation also includes other protections around the eviction process.

National Low-Income Housing Coalition (NLIHC) weekly call and updates (October 5)

Diane Yentel - We're close but also far from getting a relief package approved. Pelosi and Mnuchin are working toward a compromise, and negotiating details. They've come to agreement on most of the big funding pieces in the bill, and it does include some emergency rental assistance. We were getting close but now the Senate has recessed because of the COVID outbreak that has impacted several Senators. The deal making could always fall apart in the interim. We could get a deal that will include our priorities, or not. The \$100 billion in rental assistance is included in the bill.

Jennifer Schwartz, National Coalition of State Housing Agencies: We're going to be talking about [a report we commissioned from Stout](#), on the amount of unpaid rent nationwide that will come due January. We commissioned the report to inform policymakers about the urgency of emergency rental assistance. There are 10 million to 14 million renter households behind on rent, owing between \$12 billion and \$17 billion in September. These renters will owe \$25 billion to \$34 billion by January, when the CDC moratorium expires. These estimates do not include interest or fees landlords may charge. Over 8 million households could experience an eviction filing by January. Even those who manage to evade eviction might be making deep sacrifices (e.g. food) to do so. Not surprisingly, hardship is concentrated among lower-income households. The unpaid rent translates into \$6.8 billion to \$9.2 billion in reduced payroll expenses, and \$3.5 billion to \$4.8 billion in cuts to local property tax revenues to fund local services like teachers and first responders.

Neil Steinkamp, Director, Stout: Our primary sources are the US Census Household Pulse Survey and American Community Survey. All renter households who indicate they have "no or slight" confidence in their ability to pay rent next month are expected to have some degree of rent shortfall. The average shortfall is 50% of the rent. The low end of our estimate excludes an estimated percentage of households that receive a rental subsidy. They do not include households receiving emergency assistance. The analysis is for a case in which there is not additional policy or funding intervention. There are only a few other analyses of this issue, but they are both roughly aligned with our findings.

[Report](#)

Eric Dunn, Director of Litigation, National Housing Law Project: There have been three cases filed in US District Courts declaring the CDC moratorium unconstitutional. Some of the basic claims are ones we've seen previously: that it violates the takings clause, the rights of access to court, and due process. New ones are that Congress did not have the authority to give the CDC power to do this. The cases are in various stages. The key difference between the Ohio case and the other two: in a preliminary injunction the court looks at the public interest, likelihood of the success on the merits, irreparable harm, and a balance of the equities. The landlords in these two cases claimed that injuries would be purely economic, rather than irreparable harm. But with the Ohio case the hearing is on the *merits*, so if the court rules for the plaintiff that could mean a permanent injunction that would declare the order unconstitutional. This would invalidate the CDC order nationwide, and the Department of Justice would need to appeal and seek a stay from the 6th Circuit Court.

Sandra Park, Senior Staff Attorney, ACLU: The Woman's Rights Project (WRP) at the ACLU has been focusing on eliminating housing barriers, especially for Black women. We've been analyzing data from the Eviction Lab. As many people on this call know, Black renters have evictions filed on them at more than twice the rate as for white renters. We've been working to support statewide eviction and utility shut off moratoria, and filing amicus briefs on some eviction cases. We've been in touch with advocates on the ground and have learned about this situation in Kansas City.

Linda Morris, WRP, ACLU: We filed this motion on behalf of KC Tenants, which is a grassroots organization led by low-income tenants in Jackson County, MO. The defendants are a judge and court administrator in the county court. The County's administrative order allows for new eviction filings, regardless of whether the tenant has submitted a declaration as required by the CDC order. The county order also requires the tenant to verify all of the financial information, even though that's not in the CDC order. The Jackson County Circuit Court has continued to accept new eviction filings and 284 nonpayment cases have been filed. Landlords have also requested evidentiary hearings in every single eviction case. They have demanded extensive documentation, like six months of payroll stubs, proof that tenants have sought assistance, etc. We're also working carefully with our policy team to petition elected officials in Missouri to challenge this order.

Denise Muha, ED, National Leased Housing Association: We knew early on there were going to be some deep impacts on both renters and landlords. Some of the early surveys were targeting higher-income renters, and just generally not capturing all the information we wanted. [We commissioned a report](#) from NDP Analytics to explore the impacts on this housing submarket.

The purpose was to analyse the impact on low- and moderate-income housing providers, and on renters. Nearly all of the housing providers we included own at least some subsidized housing. Nearly 70% reported an increase in expense associated with COVID. The average was a 12% cost increase. Despite the financial strain, about 77% of providers have implemented flexible payment plans. To illustrate the financial strain we use the formula of \$.9 of profit per \$1 in gross revenue, so declines in revenue majorly impact this number. The result is a decline in housing projects in the

pipeline, with over 50% of respondents reporting this effect. In the long run there's a decline in financial resilience and a decline in housing supply. This translates into lower renter mobility, which means it's more difficult for renters to relocate and find new jobs. Small housing providers rely on rent to supplement other income streams, so this will impact the local economy as well. The reduced investment in housing projects also means less construction jobs and other related services.

Jasmine Boyle, ED, Anchorage Coalition to End Homelessness: We have two CoCs in Alaska, and our organization is one of them. We have some challenging geopolitical differences from you all in the Lower 48. For example we have less road infrastructure, and almost 50% of people are subsistence hunters. We also have a lot of seasonal workers who come in the spring and summer to fish. We've been doing asymptomatic testing in the homelessness system, working directly with shelters to make sure those individuals are being tested. We have been able to allocate easily accessible Rapid Rehousing funds. We saw a case spike at a low-barrier shelter with some of our most vulnerable clients. We were fortunate to have HUD and the CDC send some folks out to provide technical assistance. In Anchorage we have about 1,100 individuals in our system, and have seen over 300 cases with one death. One of the biggest recommendations to come out of this is that you need to have a multi-agency task force to deal with this. That means partners at all scales, including federal. A lot of the work when the CDC and HUD were out here was organizing a more coordinated structure for all these entities to communicate. Isolation and quarantine has been another challenge. For people who have experienced long term unsheltered homelessness, they often didn't want to stay isolated in a hotel. They would sometimes leave the facility to visit the soup kitchen or other locations, which was partially to get their needs met but also for social connections. I was really pleased to see the federal agencies spending a lot of time with clients to listen to the voices of people with lived experience.

Sarah Owsley, Policy & Organizing Manager, Empower Missouri: We're a policy organization, not a service provider. We're starting to think about the changing weather, and the combined urgency of that and the pandemic. We've lost over 2,200 people in the state to COVID. We have several large urban hubs, and then a number of remote areas with low employment and high poverty rates. Missouri is hurting. Evictions are still happening and landlords are telling tenants they're not protected by the moratorium. Landlords continue to find ways to get around tenant protections and file evictions. The number of requests for rental assistance and the amount needed is higher than last year. We've had some great partnerships between service providers, Legal Aid, etc. We've also seen a lot of "self-help" evictions, where landlords remove doors and do other things to make the home uninhabitable. A lot of the shelters that open around this time can't accommodate social distancing guidelines and/or have high-risk volunteers. In light of this we will need more hotel rooms, but the cost is substantial. New partnerships have formed to respond to this crisis and we're well poised to meet the needs of the situation, we just need the resources to do so.

A Live Conversation with Ta-Nehisi Coates: Racial Equity and Housing Justice During and After COVID-19 (NLIHC, Oct 6) A [recording](#) of this talk is available through Oct. 21.

Diane Yentel: In *The Case for Reparations* you talk about segregation as a moral principle in the real estate industry. Can you talk about that?

Coates: I think it's hard for people in our time to understand this, because the idea that Black people should be separate and deserve less - that's hard for us to get our heads around. But the past is not as far back as we think it is. The American housing industry built itself on pre-existing notions. When FDR came into power, formerly enslaved people were still alive, as were the beliefs that undergirded slavery. The private industry was suffused with ideas about how Black people were not equipped to own homes. There was a huge effort to inculcate the American people to equate home ownership with the American Dream and citizenship. So it makes sense that the real estate industry would not perceive Black people as being worthy of that dream. When we think of the redlining maps - which were made by private industry - those existed for years. The industry was a pioneer in the public-private partnership of segregation, through mechanisms like restrictive covenants.

Q: You've said housing descrimination is a perfect instrument, and that you couldn't choose a more graceful way to achieve segregation.

Coates: The notions and cultural ideas we have about what a homeowner is... we have to start with that. You think about *Leave It To Beaver*, the white picket fence, all of those tropes. It might be the American dream itself. When you cut Black people out, or when you let them in on lesser terms, you're sending a message to society about their value. In Chicago for instance, Black people have been participating in contract lending. Because they didn't have access to capital like white people, the neighborhood deteriorates. So you assume that Black people let their neighborhood degrade (through some fault of their own). The credit system is invisible, even to many Black people. We've been taught that you work hard, save money, and then go buy a home. There's the idea that someone's hard work and thrift creates this, but in reality the system is built on credit. Everything comes from credit. And what you have here is a government subsidized wealth building program for a segment of the population. In addition, the schools are connected to wealth because they're funded by neighborhood taxes. So if you can isolate Black people into slums you can guarantee lesser education. You have a group of people who have been cut out of all these systems, so you have a group of people who are rife for exploitation.

Q: Many people when they learn about these racist policies they go back to these FHA loans in the early 20th century, but it's important to realize it goes back much further. It also goes back to a regular practice of the theft of Black land.

Coates: I just want to make clear that housing descrimination continues to this day, with a relatively toothless Fair Housing law. This is a continuous process. It was quite common in Jim Crow to steal land from Black families. Black people were also cut out of the banking system, which in some cases means you weren't even getting paid cash for crops, and instead it's all funneled through the landowner. You can imagine what that might have looked like. Sharecroppers owned

their own land. But with the tax policy of the day and prevalent illiteracy, exploitation was very hard to overcome. White power structures controlled not only the law, but also paramilitary organizations. It's not that white people didn't want to live among Black people, so much as they wanted a peon class of surfs.

Q: So then people moved north during the Great Migration, and there were predatory policies there as well.

Coates: In the case of Joe Ross, he came with his family to Chicago after WWII and wanted to own a home. This whole program of suburbanization and homeownership promotion was not available to Black people, who had to resort to contract lending. In this case you make payments, but you don't get the deed. So there's a system for white people where you make the downpayment and get the deed, and for Black people it was the reverse. Down payments were often much higher as well. You still have all the responsibilities of a homeowner, but none of the benefits and you can't list it as an asset or leverage it. Then when you can't make a payment you lose all of the money you put into the home, and the owner does it to another Black family. Segregation isn't only physically separating Black people, but separating them so they can be left out for plunder.

Q: Can you say more about the housing crisis of 2008?

Coates: It's extremely depressing. What you had is Black people chasing the dream of homeownership. While it wasn't contract lending, you had people who were offering that possibility - predatory loans that start with a low interest rate and then increase. I'm in the process of buying a home, and though I'm a lawyer and financial advisor, it's not a simple process. If I were a different person in a different situation I don't know how I would get through this process. So for years this dream was pitched to Black people: this rhetoric of ownership as citizenship. On the back end of this there are people bundling these loans and making a lot of money. So we decided to save these people rather than those losing their homes. Saving the people who had the most power was treated like an emergency, and saving people who had lost large percentages of their wealth was secondary. It says something very disturbing about democracy. Too big to fail means if I acquire enough power, the government HAS to intervene and save me. I will be okay.

Take the case of Trump, who paid \$750 in taxes, which is less than many adults pay. He doesn't pay into the system at all, but people are spending their tax dollars giving him the best care possible. Then he stands in front of the people's house and takes off his mask. Meanwhile there are poor people working hard and paying into the system who are dying getting the worst care possible. The question is not do you work hard, are you thrifty, etc. The question is, do you have enough power? If so, the state will save you. If not, it will lecture you about needing to work harder and wear a mask. Here you have a society that tells you to work hard and make a downpayment, and instead you get ripped off. It's a very disturbing message that it sends to Black people. Obama is an example of this: he went to all the best schools and had a successful career, and was replaced by someone who brags about sexual assault. There's a long tradition of this. You can take it back to the burning of Black Wall Street. They're targeting successful Black people, and important institutions.

Q: Now in COVID-19 you can see how this history has created a situation in which harm is disproportionately experienced by Black and brown people. Can you talk about that?

Coates: This goes back to the efficiency of housing segregation for robbing communities of wealth. It's every person for themselves. Those who have the power to protect themselves are going to do better, and the effects of the pandemic are going to be felt along predictable lines. No amount of mask wearing (which I support) can substitute for public policy.

Q: 2020 had been a year of more horrific murders of Black men and women. In your recent *Vanity Fair* article you describe a belief among white Chicagoans that the Great Migration was the worst disaster to happen to the city since the big fire. You talk about how the belief in that calamity legitimizes the extreme police violence we've seen.

Coates: This comes back to the importance of the culture and how you see things. These people (Black people) aren't fit for the dream, which implies that they are less than human. I live in NYC, which prides itself on diversity, but it has a very segregated school system. When we were living in Harlem and I was trying to get my son into a good school, 90% of gifted and talented students in preschool and kindergarten were white. When you accept that those are the numbers, then why not have police harass Black people? Why *not* George Floyd or Breonna Taylor? It's clearly their fault - it's something about them. There's something happening that people aren't connecting. The movement to take down statues is more important than people realize. It's not a mistake that American filmmaking starts with *The Birth of A Nation*. It's not a mistake that there are monuments to people who actively tried to destroy the United States of America and uphold the idea that Black people are subhuman. This is why you need different monuments and different books. If you lose these cultural mediums, you lose the war against Black people.

Q: Can you say what reparations look like? What part does housing policy play?

Coates: Pillage and plunder are diffuse in white supremacy. So in my eyes you would have to do an examination across all of the axes. When *Brown v Board of Education* passed, they shut down the public schools for a period rather than integrate them. In Chicago they made Black kids come in shifts, whereas white kids got a whole day of education. We have now admitted that mass incarceration was a mistake, and what was lost? There has to be some calculus of the debt, but it's so huge. You wouldn't have Harvard Law School without the slave trade, or Brown University. You can go down the line and very few old and prominent institutions are not indebted.

Q: How far have we come?

Coates: The fact that I can get *The Case for Reparations* published even is significant. And the [1619 Project](#). There is a consciousness shift.

Q: We've also been seeing the large uprisings for racial justice...

Coates: I think people know more. There's been quite a bit of journalism that's been educating people, movies - Black Panther wouldn't have been possible when I was a kid. Technology has also changed things. There's a long history of Americans bearing witness to Black oppression. In the Civil War when white soldiers went south they saw conditions for the first time ever, and that's a consciousness shifting experience. Where we are at this moment is that you have to bear witness to George Floyd being killed. It's very hard to look away.

Q: What do you think are the most effective ways of claiming power?

Coates: There's nothing wrong with Black people that complete abolition couldn't fix. I don't know how to claim it other than in my own particular way, as a writer. If you assault the edifice of Black subhumanity, policy changes will follow. I see myself as part of a larger effort to change the culture and how Black people are viewed. I know I keep mentioning how Black people are viewed as subhuman, but I really do think it's foundational.

Q: What's giving you hope right now?

Coates: I've been deeply inspired by the protests. You see some white Navy veteran getting his arm broken or a 75-year-old white dude who grew up in segregated America getting his head split open. It's a multi-racial and multi-cultural movement.

Q: What do you say to people who want incremental change on racism?

Coates: It depends on who it is. A politician's job is to please different factions and keep it incremental, but it's not an activist's job and it's not my job. It's important to have someone out there advocating for the best possible situation.

Q: You've referred to white flight as a triumph of social engineering. Now Trump is saying integrating communities is social engineering...

Coates: There's this idea that white people just walked out to the suburbs of their own volition, but it was created by public policy. White supremacists like to start history at a certain point and act like having things the way they want them is natural, but it's *all* social engineering.

Other resources:

1. [The Brookings Institute](#) examines the intersection of race and poverty in a new report about identifying where place-based policy is needed.
2. [Three strategies](#) to combat the joint legacy of racial segregation and police brutality in public housing.
3. [State preemption of local housing policies](#) has affected crisis response and recovery efforts.