

MEMORANDUM

Date: December 28, 2020

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

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

Subject: Updates on COVID-19 and disaster response, housing, and people experiencing homelessness nationwide, December 21 - 27.

News

1. Lower than expected COVID outbreaks in the houseless population nationwide are attributed to [non-congregate shelter options like hotel rooms](#).
2. Multnomah County (Portland, Ore.) released its annual [Domicile Unknown](#) report, in memory of community members who lost their lives while experiencing homelessness. The number of individuals (113) is the highest since the first report in 2011. The winter solstice (Dec 21) marked national [Homeless Persons' Memorial Day](#).
3. [Oregon legislators passed a bill](#) that includes an extension of the eviction moratorium through June, a \$150 million rent relief fund that compensates qualified landlords for 80% of their lost rental income, and a \$50 million fund that goes directly to tenants to pay their entire rent. The NLIHC estimates an additional \$280 million in rent relief will be distributed by the federal government as part of the latest spending package. [Landlords filed suit](#) against the state within hours of the bill's passage.
4. As California becomes the latest coronavirus epicenter, [Alameda County](#) (Oakland) is moving forward with plans to close five hotel shelter sites. Service providers have been [working with local landlords](#) to find permanent housing for hotel guests. Additionally, more than [100 people](#) experiencing homelessness will start moving into 17 shared single-family homes purchased with Project Homekey funds.
5. Similarly, the [City of Austin](#) is closing its hotel shelters and the process has been chaotic and uncertain for residents.
6. [Philadelphia's](#) Eviction Diversion Program was extended after showing promising results.
7. What Congress' new [omnibus spending bill](#) means for homelessness funding.
8. How service providers across the country are responding to [the challenges of providing shelter and services](#) during a COVID winter.

National Low-Income Housing Coalition (NLIHC) weekly call and updates (December 21)

Part I - Coronavirus Relief Package: What's in it, what's not, what it means, & what's next

Diane Yentel: The eviction moratorium was extended through January 31, 2021, and the package includes \$25 billion in rental assistance. There are multiple bills that Congress will be voting on. The first is the COVID Relief Package, which includes these two elements. It also includes an extension of the CRF deadline to spend funds, which some communities have been struggling with. This still isn't enough, as people on this call know, and we're going to demand much more from the incoming administration. Here is the [full bill text](#), which is massive and includes \$1.4 trillion in spending total as part of an omnibus spending bill. This funding will be administered in a similar manner to the Coronavirus Relief Fund. The \$25 billion is only for renters (not homeowners), but will be distributed to localities in the same way. [The funds go out](#) according to a formula to cities or jurisdictions that have 250,000 residents or more. The state gets them first and then distributes them. The formula requires that 90% of the funds have to go to financial assistance, which can be used for back rent, utilities, or other housing expenses. It can be provided to an individual for 12 months, or up to 15 months if that's necessary to keep them housed. The remaining funds can be used for case management and other funds to keep people housed. Recipients can use up to 10% of the funds for some level of administrative costs.

The eligibility requirements for renters who receive assistance is that they have to make below 80% AMI (Area Median Income), and localities have to prioritize households at 50% or below AMI. This is important so we target those who are most in need. Landlords can apply for the funds, and property owners, on behalf of tenants, but they have to apply *with* the tenant so the tenant is aware. The landlord has to provide the tenant documentation of the landlord's application. Those payments have to be used to pay the tenant's rental applications. There's a deadline for spending funds, and an incentive for communities spending these funds past. The deadline in Sept 2021, and at that time the funds will be recalled and redistributed to communities who are getting that money out fast. There are also some good components on reporting. Localities will be required to report quarterly on how the funds are being used. This includes income levels, percentage of applicants who receive funding, etc. and is all disaggregated by race, ethnicity and other demographics.

There is a need for The Treasury to put out some guidance on some aspects, and this is a concern as we're in the midst of a regime transition. We hope we can do everything possible to help communities spend these funds as soon as possible. States can still add requirements to access these funds. What we saw with the original funding package is that some localities added new rules to the funds, and tied the hands of program administrators. That is a possibility here with these funds, and it says in the language here that localities can add additional guidelines and restrictions to these funds. As far as distribution, it's going to work similarly to the first round of coronavirus funds. They first take out funds for territories and tribes, then they allocate to states based on a

formula, and the states distribute to localities. For example California will get about \$2.6 billion, and then allocate it to cities and counties.

The eviction moratorium is not nearly long enough, but it does provide some time for localities to start distributing these funds. Also, we are going to keep the pressure on the new administration to extend the moratorium. Extending the moratorium was a battle in Congress. Some Republicans didn't want to extend it at all, or wanted something similar to the CARES Act moratorium, which only covers about one third of renters. The landlord lobby put a lot of pressure on legislators here, so this was really a challenge. The eviction moratorium has been controversial with landlords and they have been suing to overturn it. Some of these associations had their members calling Congress urging them not to extend it at all. Some Republicans have said that an eviction moratorium is not necessary because there's substantial rental assistance available. However this is only enough assistance to pay a quarter of the estimated back rent. Also, even if the bill were enacted today there is no way the funds would get out there quickly enough to prevent evictions. It has to be extended beyond then, but the benefit of the Jan 31st date is that at that point President Elect Biden can extend it further.

We've been tracking the distribution of existing rent relief funds and some communities have really been struggling. The extension now gives communities until December 31 2021, which is significant.

Part II - FEMA Non-Congregate Shelter Reimbursement

[Internal agency memo on the updated policy](#)

Diane: At the start of the pandemic FEMA modified their guidelines to enable localities to house people experiencing homelessness out of congregate shelters and encampments and into hotel rooms. Part of the requirements are that states have to reauthorize their funding every 30 days, and this was leading to many communities worrying that funding would run out, and winding down their programs in preparation.

Dave Grecco, Chief of Regulations & Policy Branch, FEMA: The COVID non-congregate sheltering policy that we updated modifies this 30-day increment request format to extend the authorization period to the end of the pandemic. What this means is that localities do not have to reapply every 30 days, which relieves some administrative burdens and uncertainty about funding.

Q: Have you released guidance or a memo? If you haven't, will you soon?

Grecco: We have issued a memo internally to FEMA that puts the guidelines in place for states, territories and tribes. We anticipate working with our external affairs division to put out guidelines for states etc.

Q: How do you define "to the end of the incident period"?

Grecco: That's something that is ongoing with our leadership and we're still working through some of those things for the public health emergency. It will relate to how fast the vaccine is distributed, and when we start to see cases declining.

Q: What is the timeframe for winding down the program, once the incident period is defined?

Grecco: When we have a date for the end of the incident period we are going to work with our state/territorial/tribal partners to ensure our non-congregate shelters aren't closed abruptly. It would be at least 30 days.

Q: What do entities who are currently doing this work need to do to gain approval?

Grecco: Keeping in touch with your local FEMA administrator would be the best way to make sure you're up to date on all this information.

Q: One of the challenges for communities doing this work has been different interpretations from regional administrators. For example some interpretations are very narrowly restricting shelter to COVID positive or exposed individuals, whereas others are more broad to include anyone experiencing homelessness.

Grecco: We tie eligibility as much as possible to CDC guidance.

Other resources:

1. The CDC's FAQ about the COVID [vaccine and people experiencing homelessness](#).
2. HUD resources and guides on conducting the annual [Point In Time Count](#), which is often done in January.