

MEMORANDUM

Date: February 1, 2021

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, January 25 - 31.

News:

1. President Biden signed [an executive order that addresses racial equity](#) within the practices of the Department of Housing and Urban Development (HUD). The memorandum calls on the agency to examine Trump-era changes, and their impact on Fair Housing implementation, among other things.
2. In [Austin, TX](#) City Council is discussing several approaches to the city's homelessness crisis. The first initiative they will vote on entails relocating people who are camping in four unsafe locations to interim housing. They voted on Wednesday to purchase a hotel to serve as permanent supportive housing, and will vote on the purchase of a second hotel in the near future. Services for the hotels will be covered by a [\\$6.5 million reallocation from the police department's](#) budget to the city's public health budget.
3. Advocates in [San Francisco](#) hope that the recent change to [FEMA reimbursement rules](#) for hotel shelters (100% of the costs, up from 75%) will enable the city to connect more people with rooms. San Francisco City Controller Ben Rosenfeld estimates that about 85% of the participants in the hotel program are eligible for FEMA funding.
4. A new report from Moody's Analytics and the Urban Institute shows that the typical [household that is behind on rent owes \\$5,600](#), and is four months behind. In total, \$57.3 billion is owed by just over 10 million households.
5. The tiny home village model for people experiencing homelessness is being embraced by advocates and service providers across the country. This 32 home village in [Wilmington, N.C.](#) is one of the latest additions.
6. Homeless [New Yorkers](#) are facing an especially challenging winter, due to the subway closure from 1am to 5am. The subway has traditionally been a de facto source of shelter during the colder months, and people are having to improvise by sleeping inside of dumpsters and other unsafe locations.
7. As [evictions and rent debt loom](#) in the future for renters across the country, grassroots organizing is proliferating at a level not seen since the activism of the 1970s and early 80s.
8. In [Los Angeles](#), Councilmembers Mike Bonin and Nithya Raman proposed taking advantage of the new 100% FEMA reimbursement policy to expand Project Roomkey. This would

enable more people experiencing homelessness to access hotel and motel shelter. The motion also directs the City Attorney to report back on the possibility of using executive power to commandeer hotels, if participation is not able to meet need.

9. [Virginia](#) is considering a bill that would require landlords who own five or more homes to offer payment plans to renters who fall behind. This legislation aims to make current COVID-era protections permanent.

National Low-Income Housing Coalition (NLIHC) weekly call and updates (January 25)

Diane Yentel, NLIHC: The eviction moratorium has been extended by the President through March, 2021. The CDC director released a statement that same day saying that she would extend the order as directed. While the extension is essential, it is also insufficient because of all the flaws in the order. There are an alarming number of evictions that are still happening despite the existing moratorium being in place, which is why we circulated a letter urging for a number of modifications. I was told by White House officials that they understand there's a need for improvements and changes. They would like to open a process to collect input on what is needed. We sent a letter to the new CDC director asking her for a meeting as soon as possible. I am hopeful we will connect with her soon.

Senator Mark Warner of Virginia is our first speaker. He is serving his third term in the senate, where he serves on a number of powerful committees. He has established himself as a bipartisan leader, and was part of the group that came together to negotiate the COVID relief package last year. He was leading the provision of the housing programs, and helped secure the rent relief funds and the eviction moratorium extension through January.

Senator Mark Warner, Virginia: So many of you have been working on this issue for years, and one of the things the pandemic has shown is that Americans' access to safe and affordable housing has been with us for years, and has been exacerbated by the pandemic. I'm hoping we can address the short term needs as well as putting long term solutions into place. In the last COVID package I worked with Chair Waters and others to get the \$25 billion in rent assistance into the bill. We had hoped for more funds, but it was still an important accomplishment. I'm happy to see that President Biden has put out his new initiative, and one of the things I'm very supportive of is his additional \$25 billion in rental assistance. I know that's not enough for all of the need, but it will take us a long way down the path.

I'd like to see additional funds for Emergency Solutions Grants (ESG) and Housing Choice Vouchers (HCV). I'm also hoping we'll see an extension of the various unemployment programs and other aspects of the safety net. Another thing I'd like to see is workers starting to accrue benefits upon beginning any job, and those benefits would be portable so they stay with them if they're a freelance worker going from job to job. We also need sustainable funding for the Housing Trust Fund, so localities can think comprehensively about how to increase housing supply. You know

better than I how low-income housing development remains very slow. We also need reform on federal housing finance to assist both homebuyers and renters. We have a rare opportunity now in the realm of housing to advance long term structural changes.

Diane: How do we best make the case that housing is infrastructure, for the next package?

Senator Warner: That's a really good question, and that's one that I would look to you and to the other advocates on this call to answer. We have not traditionally done a good job with that. For example we haven't even been able to get the federal government to view the internet as infrastructure. What I've learned over the years is that we've created so little low-income housing and we need a lot more.

Diane: That's a good segue to Chairwoman Waters' Housing is Infrastructure bill, which proposed \$70 billion for public housing upkeep and creation. Rep Waters is very well-known and loved by housing advocates. She's worked to introduce many pieces of legislation about housing for low-income Americans. It was her leadership and tenacity that helped ensure there was rental assistance in the latest relief package.

Representative Maxine Waters, California: The NLIHC does such important work, and I'd like to say how much I appreciate your advocacy during COVID. As you may know, I've fought to create a rental assistance fund in both relief packages. Of course the bill is only a first step. I've been frustrated in dealing with this rental assistance question. We started with CARES, and couldn't get \$50 billion, but finally got \$25 billion into HEROES and the president has proposed \$25 billion more. I'm worried about the state systems and how the money will be distributed to renters and small landlords who have been waiting. This has been an issue that I think we've been too long in addressing. I've been hearing that some landlords are already evicting even though the moratorium has been extended. We need to understand that more money is needed and we'll need to keep fighting for more assistance. I'm thankful that President Biden is offering real leadership and a plan to address the crisis.

As Chairwoman of the House Financial Services Committee, I'm committed to working every day on securing this funding. The [Ending Homelessness Act](#) and the [Housing is Infrastructure Act](#) are two bills that address this need. I wish I could tell you I'm confident we are on our way to meeting our goals in housing and homelessness, but we're going to have to continue to fight. When we talk about what is needed here it causes concern because we need so much for all of the households suffering in this country. There are some housing issues and needs that are not addressed in the President's plan, such as homeowner assistance and Section 8 vouchers. Both Democrats and Republicans seem to come together more when we're talking about small businesses and PPE, which is great, and we need to lift up housing and homelessness agendas as well.

Diane Yentel: We have sent [a letter](#) to the CDC director to talk about the improvements to the moratorium. Both the President and the CDC director definitely left themselves room to extend it further. As for the \$25 billion in emergency rental assistance, the Treasury released a very

problematic FAQ about how the funds could be used, and we put our concerns into a letter which we sent last Thursday. We urged them to rescind or revise that FAQ to align it with the statute and make sure the money gets to those who need it.

Sarah Saadian: We were worried that additional documentation requirements would make it more difficult to reach the households most in need, both because they might have difficulty obtaining the documents and because it takes longer to process. The funds also won't cover internet, and there are no requirements that local governments document that they are complying with the statute. [Here are the NLIHC's recommendations.](#)

Noah Patton, NLIHC: Last week President Biden signed an order directing FEMA to reimburse 100% of the costs for hotel shelter, both for people experiencing homelessness and for people living in congregate settings. FEMA had been reimbursing them at 75% before. This type of funding is typically available for various emergency responses (e.g. from an earthquake), but this response is specific to the needs of COVID. In addition, it permits FEMA to pay some of the costs in advance. Some states have a wide eligibility, and some only serve people who have been exposed to the virus or who have medical vulnerabilities or are over a certain age.

Cathy Alderman, VP of Communications & Public Policy, Colorado Coalition for the Homeless: In early October our governor sent a plan to the CDC on vaccine prioritization. In that plan, people experiencing homelessness and their providers were on the second tier. As we got closer to seeing the vaccine, the governor released a new plan that completely removed that population. After a lot of public criticism for initially prioritizing people in prison, all people living in congregate settings were deprioritized, which was very troubling for us and other advocates. We reached out to the governor's office and expressed our dissent. We had some shelters where the rate of COVID among staff was around 25%, which reduces staff numbers. These individuals are frontline workers and should be prioritized. We are continuing our advocacy in the governor's office. The response has been that many people who are experiencing homelessness are under 65, and those who have medical vulnerabilities would already be prioritized, which is true, but it doesn't make sense to only vaccinate some people in a congregate setting. If we have an outbreak in a shelter it is really difficult to contain.

Kendra Knighten, Policy Associate, Idaho Asset Building Network, Idaho Voices for Children: Three years ago we began to form a multisector coalition that focuses on federal and local housing advocacy. Now our focus is on state level advocacy as the Idaho State Legislature is currently convened. The pandemic has been a time when policy makers are recognizing the urgency of housing issues. We urged the governor to allocate a share of the state's emergency relief for rental assistance, and he allocated \$15 million. In hindsight there were some lessons learned about how we could allocate the funds more equitably. The application process was over burdensome and acted as a barrier, and our outreach efforts also didn't reach some of the folks who need help the most. We're working on addressing those issues for the next round, and focusing on educating lawmakers about housing issues. We're also keeping our eye on a movement in the Legislature to

end the declaration of emergency, which would jeopardize FEMA funding and hinder efforts to distribute the vaccine.

National Alliance to End Homelessness webinar: *Homelessness Policy in the Biden Administration (January 27)*

Jerry Jones: We are in a unique moment in homelessness work. Going back to the 1980s we had a very conservative president in Ronald Reagan, and a Congress that was focused on reducing the deficit, which resulted in the housing budget being cut. When Clinton came into office I remember the excitement of getting his housing package passed, but then shortly thereafter I learned that there wasn't a way to put the funding that had been cut back into the budget. So for decades Washington has failed to deal with the homelessness crisis. Now under the Biden administration we have a commitment to pass Maxine Waters' bills for ending homelessness and for expanding Section 8 vouchers. We'll start with Chandra Crawford who is the Alliance's director of policy for individual adults experiencing homelessness.

Dr. Chandra Crawford: The ACIP Recommendations for the COVID-19 vaccine are tiered into different phases for populations based on priority. The first is health care personnel and residents of long-term care facilities, and then it progresses from there. So where do people experiencing homelessness fit into this? As we know, people experiencing homelessness have a higher mortality rate than the general population - even in shelter. Hospitalizations rates for COVID have also been higher. The CDC is saying that staff and residents of shelters share an increased risk and may be vaccinated at the same time. It is at the discretion of states and jurisdictions, and different governments have interpreted these guidelines in different ways. About 26 states have included congregate settings (like shelters) in 1b, and 28 states have moved people 65 and older to either 1a or 1b. Homelessness is also listed in 1c.

Key components of the National Strategy include:

1. Vow to meet the needs of hard-to-reach populations to make vaccines more accessible and equitable - work with local public health officials.
2. Create as many venues for vaccines as possible in communities and settings people trust.
3. Drive equity - use demographic data of hardest hit communities to direct resources.
4. Work with Congress to strengthen social safety nets.

Steve Berg, VP of Programs and Policy: I'm going to focus on Congress's priorities around homelessness in 2021. There are three categories of issues. There's the COVID-related crisis response, strengthening the homeless assistance system, and making housing a public good. Most of the bills haven't been introduced yet, so as the year goes on there will be other opportunities to get this work done. Biden's emergency response bill is what he calls the 'rescue' phase. Then there will probably be another big bill that will be more of a 'recovery' effort. Other than that there are also regular appropriations and other legislation. 'Reconciliation' is a process in which a budget-related

bill can be passed by majority vote, meaning 50+1 votes. This is an easier path to getting a Democrat sponsored bill passed right now, because the other route requires much more votes and that is unlikely to happen with the very narrow Democrat majority. This process can only be used once a year, and only for spending, which means that something like an eviction moratorium would not apply.

Our asks for the ‘rescue’ bill are \$6-8 billion in homelessness funds, \$25 billion for rental assistance, \$28 billion for 500,000 Housing Choice Vouchers (HCVs)/Section 8, and \$44 billion for acquisition funds to house people experiencing homelessness (e.g., hotel purchase). The Congressional committees are working on it today and this week, and after that leadership will make decisions. This might be a bipartisan bill, and will most likely use the reconciliation process, the deadline is mid-March. Possible big changes to housing policy down the line include universal housing vouchers, and the recovery/stimulus/infrastructure bill coming after the rescue bill. We’re pretty certain that there will be a lot of interest in the new administration in how to address homelessness among veterans.

Q: What will it take to make Section 8 a universal program?

A: Talking to your Congress members about why this is important. Though there might be a perception that many Americans are against affordable housing, research shows that’s not actually true.

Jerry Jones: The Biden administration has made bold, ambitious commitments around housing and homelessness. We’re not naive, and understand that these things will only happen if we fight for them. \$90 billion is needed for the HCV program, so it’s going to take a national push to get Congress to commit to what the President has already agreed to do. As Fredrick Douglass said, “power concedes nothing without a demand. It never has and it never will.” What is needed now is for us to strengthen our grassroots network to advocate for these policies. You can play a part in this by emailing the National Alliance. You can reach me at jjones@naeh.org. What we could really use at this moment is for you to send me your name, organizational affiliation, and Congressional district. Then we can communicate with you about what’s needed in your area.

Urban Institute webinar (January 27): *Canceling Rent and Promoting Greater Housing Stability in Greater D.C.*

Mychal Cohen, research associate, Metropolitan Housing and Communities Policy Center: The data makes clear that even with the additional proposed \$30 billion in federal rental assistance, that will not be enough to meet the need. A paper by Moody Analytics estimates \$57 million is needed for total back rent in the DC area. Other estimates put the additional monthly need at \$66 million per month. Racism means Black and brown folks are most at risk of eviction. In the DC area Black and Latinx folks are about 20% more likely to experience housing precarity right now. There are no places in the US where the minimum wage allows a household to afford a two-bedroom home without being rent-burdened (paying over 30% of their income in rent). At this point 75% of

households who make under \$55,000 a year are cost-burdened. So this is a crisis on top of an existing crisis.

Q: As an organizer on the frontlines, how have the economic hardships of the pandemic strengthened conversations around tenant protections?

Citalli Velasquez, Senior Bilingual Tenant Organizer, Latino Economic Development Center:

There was already a housing crisis and now we're in a housing disaster or catastrophe. Our efforts to cancel rents and strengthen rent control have involved more tenants than before the pandemic. Renters have been forced to organize, to fight tooth and nail. Having to choose between food and shelter has led to a rise in tenant organizing and rent strikes, and a movement to cancel rent. The circumstances have forced tenants to challenge the status quo to survive. The effort to cancel rents was a direct response to the pandemic, whereas strengthening rent control has been an issue for years.

Q: How has the pandemic opened up opportunities for governments to consider more progressive policy?

Maryland State Delegate Jheanelle K. Wilkins: During this pandemic home has been health care: it has been a lifeline and it has been safety. For the last ten months we have asked residents to stay at home. Now with so many people at risk of losing their homes we have to work to ensure that people have a roof over their heads. I'm a renter in the district that I represent. It's never been so clear as a renter how much your life and safety is dependent on your landlord doing the right thing. So what we're talking about today in terms of the imbalance between landlords and tenants, these issues are systemic and have been in place for many years. So looking at those systemic issues and proposing solutions for the long term is important. We're having conversations that wouldn't have been possible before this pandemic. My bill is the COVID-19 Eviction Relief Act of 2021. It includes a ban on evictions, fines and late fees, and a rent relief fund. It also includes homeowner assistance and a moratorium on foreclosure. It also includes a Right to Counsel so low-income tenants have legal representation in eviction court. Currently the landlord filing fee for eviction court is \$15, so we're also looking to increase that. I had a call from a constituent who owed \$22,000 to their landlord. The idea of rent cancellation needs to re-emerge as a serious topic because someone who has that much debt is not going to have their needs met by limited rental assistance.

Q: Citlalli what do you think local changemakers on the ground need to be doing to address the racial disparities and protect communities of color?

Citalli: I think local governments need to listen to their constituents as though they are policy advisors and experts. Cancel rent has been a national movement and that goes along with an assistance fund for landlords in need. So that surpasses the argument from landlords that they're facing financial burden. Tenants may not have the documentation needed to apply for rental assistance, so a landlord fund would be a path toward canceling rent in DC. It is already a

compromise—we're not saying 'who cares about landlords'—if they need the support they can apply from that landlord fund.

Q: Delegate Wilkins, we've been talking about how COVID-19 exacerbated existing inequalities. How are government leaders moving from awareness to action? Does the proposed housing package address this?

Delegate Wilkins: In our policymaking we have to recognize that some communities are more impacted than others. When courts were more open and you could physically attend, you could see who eviction was impacting. People of color, people with disabilities, and people who do not speak English. So it's critical that our policies speak to that. In the Right to Counsel bill for example, it's really focusing on folks who are low-income. The way that the moratorium is crafted entails not evicting anyone, which avoids that paperwork burden barrier. My bill also relies on know-your-rights information being distributed to tenants.

Q: There are different perspectives on all sides in the cancel the rent debate. Can you give us a snapshot?

Mychal: There's a lot of overlap - everyone wants rent relief. When you get into the heated parts of the arguments, it's about who we are doing it for. The landlords want to get the full back rent, and also challenge certain parts of the moratorium because they want to be able to evict some of their tenants. I think what underlies the argument is the idea of the 'mom and pop' landlord who may claim to face foreclosure or not being able to meet basic expenses. The tenant response is that those landlords exist, but there are also many landlords whose business model entails collecting large profits on rents. So the question is one of how are we dictating need. Tenants already have to prove need to access benefits, so can we apply that to small landlords as well?

Citalli: We've seen that what already exists is not enough, so I don't see how there can be an equitable path without canceling rent and rent control.

Delegate Wilkins: I think for where we are with understanding the history and systemic issues, we cannot accept anything less than robust funding and eviction relief. We need long-term policy changes that reflect the imbalance of power, as well as funding. As it relates to rent cancellation and rent control, in Montgomery County we're having a really important conversation about putting forth rent control in areas that are around mass transit. I think that conversation would not have happened without the pandemic. Rent cancellation means that no one would have to pay rent, and passing that would require a lot of votes so at this point the focus is on relief funds for those who cannot pay.

Q: What does canceling rent mean?

Mychal: Starting at the baseline of assuming that no one should be evicted during this crisis. I think it includes rent relief for past debt and future forgiveness.

Citalli: Canceling rent is a form of eviction prevention. I don't see evictions being prevented without it. It's going to come down to the details of if there are enough funds for full relief or cancellation. It's difficult to have hard numbers for these proposals, in terms of knowing how much landlords are actually losing. At the baseline, it would mean forgiving rents for tenants who have lost income, have contracted the virus, or have had to care for family.

NLIHC webinar: Emergency Rental Assistance Programs: Looking Back and Moving Forward (January 28)

[Read the report](#)

Andrew Aurand, CP of Research, NLIHC: We're aware of and tracking 575 programs in 46 states, Washington DC, and 397 localities. The recent relief package included \$25 billion in emergency rental assistance that will be distributed to states. This is a key moment for us and an opportunity to learn from these programs as far as what works, and what program features create barriers. The positive development over the last few months is that we've seen jurisdictions adopt practices that improve their ability to distribute these funds.

Claudia Aiken, Housing Initiative at Penn: Our new report surveyed 220 programs from August to October. This includes 22 statewide, 80 city-level, 70 county-level, and 48 regional programs. We asked for updates in December and January on some of the implementation statistics. Most of the programs relied on federal relief funds, but not all of the programs were newly developed during the pandemic era. We asked programs to list their goals, and the most common were to stem evictions and prevent homelessness. Most of the programs were implemented by government agencies, and nonprofits were also frequent partners. The amount of aid available varied widely across the programs, and the majority of programs provided the funds directly to the landlord though the tenant often must apply. The two most common criteria were a cap on incomes and an income loss related to COVID. Documentation of income and a current lease were the most common pieces of documentation required, with 58% allowing for self-certification of income and income loss. Landlord requirements included a commitment not to evict the tenant for some period of time, and forgiveness of the tenant's rent debt.

The two most common challenges were related to the completeness of applications, and staff capacity. Funding timelines and landlord cooperation were also significant constraints. Since landlord engagement is often required, their refusal to participate is a crucial barrier. The volume of applications indicates both the amount of need and the effectiveness of outreach. We found early on that demand met or exceeded expectations for most programs, and increased over time. A majority of programs served fewer households than expected, but that increased during December and January. This reflects the challenges of distributing funds during a limited timeframe. In our sample, about 40% of programs used HUD Cares Act funds, and another 40% used Coronavirus Relief Funds. The remaining 20% used local or philanthropic dollars. More restrictive funding resulted in

less households served. Programs with more stringent landlord requirements (e.g., agreeing not to evict the tenant for a period of time) were less able to get money out the door. On the tenant side, the requirement to prove COVID-related income loss was correlated with lower distributions.

Victor Reina, Housing Initiative at Penn: The Housing Initiative at Penn (HIP) is working with municipalities to help design and evaluate rent relief programs, which entails conducting ongoing surveys of tenants and landlords. In Philadelphia’s CERA Program, 8,900 tenants applied to the CERA program and 4,076 received assistance. Many eligible applicants were unable to benefit because their landlords chose not to participate. This raises the question of why landlords will not participate, so we launched a landlord survey in the city and partnered with the Reinvestment Fund, which conducted interviews with landlords and property managers. We received over 600 landlord responses to our survey, and 43% of our respondents were landlords with 1-5 units. Over a quarter of our respondents indicated experiencing problems with tenant payment prior to March 2020. All of these issues increased significantly with the advent of the pandemic. We asked owners about how reasonable different requirements are, with 42.5% feeling that forgiving back rent is unreasonable, versus 18.5% who find it reasonable (on a four-point scale). Repayment agreements are seen as more reasonable, and a lot of owners were doing that prior to the pandemic. Large owners were less likely to participate in the CERA program. In conclusion, the majority of owners are willing to participate, but a one-size-fits-all approach doesn’t fit everyone. There should be a fund available to tenants whose landlords will not participate.

In our Los Angeles owner survey we found over three quarters of owners have been impacted. The majority of landlords have not previously engaged with local or national rental assistance programs. Landlords say they have difficulty paying taxes, the mortgage, etc. The differences between small and large landlords we found in Philadelphia persist. The tenant surveys confirm the pre-pandemic challenges of housing affordability and precarity. The vast majority of households are either unemployed or have experienced a loss of income. We did not find a significant increase in people moving during this time, but there was already a high level of mobility and precarity before COVID. Across the board tenants are seeing increased levels of debt—whether that’s on a credit card or owed to the landlord.

Rebecca Yae, NLIHC: [Our report on best practices for emergency rental assistance programs](#) is a living document that is periodically updated. Our findings are, 1. create a simple and accessible application process, 2. target households with lowest incomes, 3. be judicious with landlord concessions, and 4. partner with locally embedded organizations.

Claudia: We’ve been seeing that people who already have relationships with the groups that are distributing assistance are receiving it first, and then it shuts out people who don’t know about those organizations, don’t have internet access, etc. So we recommend having an open application window and then doing a lottery, rather than first come first served.

Rebecca: We’ve also seen program administrators become more flexible with how they receive documents. Not everyone has internet access, so opening up more pathways is important.