

MEMORANDUM

Date: June 14, 2021

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, June 7-13.

News¹

1. The White House announced a new initiative to build Black wealth and end racial discrimination in housing. The plan was unveiled on the 100th anniversary of the [Tulsa Race Massacre](#), and will entail investing in housing and community development through the American Jobs Plan, while strengthening fair housing regulations. ([NLIHC](#))
2. The Oregon Senate passed a bill that would allow tents on public land without threat of criminal punishment or fines. ([Willamette Week](#))
3. Unhoused New Yorkers played a pivotal role in advocating for the recently-passed bill to increase the value of the City's housing vouchers. ([Next City](#))
4. Addressing encampments on the Venice Boardwalk (Los Angeles) continues to be a source of strife. In conflict with existing plans, Los Angeles County Sheriff Villanueva superseded the authority of LA Councilman Bonin and the Los Angeles Police Department to initiate his own departmental effort to remove campers from the beach this week. ([Santa Monica Daily Press](#))
5. Meanwhile, New York City has announced its intentions to move people living in COVID shelter hotels back into congregate shelters. ([WNYC](#))
6. San Francisco Mayor London Breed is allocating \$1 billion to address homelessness, with a goal of placing 6,000 people in housing by June 2022. ([BeyondChron](#))
7. With the eviction moratorium expiration looming June 30, California renters face an uncertain future. Of the \$355 million in federal funds applied for by tenants and landlords, only \$20 million has been approved and only \$1 million has been distributed. Los Angeles renters will also see the expiration of protections against 'no-fault' evictions, for reasons such as a landlord taking over a residence for personal use or removing it from the market. ([Los Angeles Times](#))
8. A new study in *Housing & Society* finds a positive relationship between inclusionary zoning policies and population health. Inclusionary zoning requires that developers set aside a

¹ New stories are gathered from national and international publications, and are not HRAC's original reporting.

certain percent of residences in a given project for low- or moderate-income households, or pay a fee into a jurisdiction's affordable housing fund. ([NLIHC](#))

9. The U.S. Department of Housing and Urban Development (HUD) is restoring the implementation of the Fair Housing Act's Affirmatively Furthering Fair Housing requirement. ([HUD](#))

The National HoUSed Campaign Call for Universal, Stable, and Affordable Housing (June 7)

Diane Yentel: We have an incredibly consequential week ahead. The Supreme Court is considering lifting a stay on overturning the federal eviction moratorium, which would leave millions of renters unprotected. We also have the final attempts by the president and senate republicans on the infrastructure bill. One path would have little to no housing investment and the other would have \$318 billion in housing investments. Major investments in public housing repairs and investments in the Housing Trust Fund have been proposed. Universal housing vouchers are another thing that's on the table. So this is a major week for our HoUSed campaign and for housing in general. Our first speaker is Congresswoman Pramila Jayapal of Washington, who chairs the Progressive Caucus and is the first South Asian woman to be elected to Congress. Last year the NLIHC was proud to stand with her when she introduced the Housing is a Human Right bill.

Rep Pramila Jayapal: The NLIHC brings forward some of the most important expertise in forcing us to address our nation's housing needs, so thank you for your powerful work. Our nation is recovering from a health and economic crisis that has exacerbated our existing housing crisis. More than 74 million people lost their jobs, and many have had to spend the little savings - if any- that they had. I'm proud that government leaders stepped in early with the eviction moratorium and other measures to help renters and low-income households. We worked to advance the most progressive package in history, with the American Rescue Plan, which included \$27.5 billion in emergency rental assistance, as well as funding for nutrition, homeless services, and more. The work distributing these resources is ongoing, and we need your help as advocates on the ground. For example, we learned that many houseless Americans were not receiving their stimulus checks, so I passed a bill to make that easier, but it wouldn't have happened without eyes on the ground. As these moratoriums end families are going to face a giant financial cliff. That's why this is a critical moment for us to engage. Pre-COVID one in four renters were spending more than half of their income on rent, and there was also a remarkable increase in homelessness between 2019 and 2020. The harsh reality of living unsheltered is reflected in a mortality rate 4 to 9 times higher than for housed people. Homelessness also reflects the existing inequities in our country, where people of color, people with disabilities, trans people and other marginalized populations are disproportionately impacted. These same patterns are mirrored in discrimination when purchasing and renting a home.

This reflects the magnitude of the crisis we are facing as a nation. The previous administration made it as difficult as possible to remedy these inequities. We have to reinvest in solutions that have proven to be successful on the frontlines, but the federal government must provide the resources.

We also have to be vigilant about the criminalization of homelessness, where people are subjected to fines and imprisonment for doing normal human things in public places. The experience of homelessness is not a moral failure, it is a structural failure on a societal level, of failing to provide the support that our community members need. Any legislation must be rooted in the belief that people are entitled to basic necessities, like housing. That is the ethos I have built into the Housing is a Human Right Act, which I will be reintroducing tomorrow. \$300 billion in federal spending over 10 years into crucial housing infrastructure. We also have to protect tenants by increasing their rights, expanding access to counsel, and ending discriminatory practices. The Act creates a new grant program by investing in housing as infrastructure so localities can meet their specific needs. We require targeting investment in communities experiencing disparities. If we invest substantial federal dollars, we can provide housing and supportive services for vulnerable communities, which will ensure that everyone has a home. We need a big, bold package that will provide housing for all. We need to set aside substantial funding for people experiencing homelessness, and end the Faircloth Amendment that restricts the expansion of federally funded housing. Housing IS infrastructure and the sooner we can roll our proposals with that in mind, the better it will be for advancing a guarantee that housing is a human right.

Peggy Bailey, Senior Advisor, US Department of Housing & Urban Development: Since the Memorial Day holiday we've been able to provide more detail about the American Jobs Plan and the housing component, which is an essential part of the plan. We've been working across government agencies to make sure these components are strong. If you've had a chance to look at the 'budget in brief' piece, you'll see that it reflects a need to invest in affordable housing supply, and expand the voucher program. These two things go together. First and foremost is a \$40 billion investment in public housing, which is a historic investment. It's an opportunity to improve the affordable housing stock and also correct unacceptable conditions for current residents. We can also leverage this money to bring private dollars into public housing to set them up for a more sustainable future. Along with that is a \$55 billion investment in the Low Income Housing Tax Credit (LIHTC) program, with an emphasis on not locating all of this housing in low-income neighborhoods, but rather locating it in a variety of communities to provide housing choice. LIHTC is a large component of our country's affordable housing program, but it's not the only one. There's also a \$40 billion investment in the Housing Trust Fund, which specifically provides housing to households with the lowest incomes. As we move forward with the jobs package, we want to take the opportunity to streamline things so these programs work better together, rather than in silos.

There is also funding for community development, in recognition that gentrification isn't the only way to revitalize a neighborhood. There's a \$2 billion investment in tribal governments for roads, water, sewer, and housing. The Main Street Program is another aspect of the American Jobs Plan. Housing is infrastructure, and this false dichotomy between housing and other infrastructure is a mistake. This is a way to bring housing into the infrastructure conversation in a way it always should have been. There's a historic increase in the voucher program of 200,000 vouchers. We need to invest in local housing authorities so that they can proactively engage with landlords. We also need to address housing discrimination, but that requires real commitment at the local level.

Q: Can you say more about how the administration views the increase in vouchers, in the bigger picture?

A: Creating a universal voucher program is a priority for the administration and this is a first step. Over the next year we want to look at what we can learn from the Emergency Housing Voucher program, where we've been able to provide more flexibility than the traditional Housing Choice Voucher program. Changes need to take place in the voucher program, and that needs to happen via conversations with stakeholders. For example, how do we handle fair market rents? How do we make sure people with disabilities also have housing choices?

Q: How will HUD coordinate expansion of vouchers and fair housing, and how will it coordinate landlord outreach?

A: The Office of Public and Indian Housing and Fair Housing work really closely together, and we'll think about what is needed in collaboration along the lines of fair housing. Source of income protections in particular are important, otherwise people will face barriers in using their vouchers. Engaging landlords in the conversation is also important. Working with landlord associations and bringing them to the table is one element. We're learning a lot from the research from communities that are instituting landlord incentives. The other thing we're learning is from the Treasury with the Emergency Rental Assistance (ERA) program. In expanding the voucher program we're going to rely on working with landlords who have not participated in government programs, so lessons learned from the ERA programs are really helpful there.

Caitlin Goldblatt & Tisha Guthrie, Community Advocates, Baltimore Renters United:

Guthrie: Our latest victory is the veto of a bill that is known as the [Security Deposit Alternatives Bill](#). At the same time, the fact that it was even considered suggests that our elected leaders are either out of touch or complicit. Housing advocates are forced to invest human capital to defend against housing policies that maintain the status quo, instead of using energy to improve housing policy. Some of the 2021 legislation that was lost in this time directly addresses the concerns we are going to be outlining in our presentation on slumlords. These photos were taken by residents in Bolton House (they depict mold, missing ceiling tiles, and huge piles of garbage, among other issues). There was legislation in 2021 that would have mandated annual inspections to identify and remediate mold, and that was lost because we have landlord legislators that will put their business interests first in these cases. The question that was asked by a landlord legislator in opposition to this bill was around why a property owner would allow these habitability concerns to exist in the first place. The reality is that this disconnect between legislators and the lived conditions of renters serves as a barrier to progress. There is also *no* requirement for a legislator to recuse themselves if they have a conflict of interest (due to their business). Lastly, I hope that we can shift the policy discussion from renting to supporting Community Land Trusts. The disparity of homeownership among Black and brown Americans stands in stark contrast to white Americans. It reiterates the growth of this country's wealth gap. Focusing so heavily on renter-based solutions misses a historic opportunity to address the homeownership gap and thus racial justice and equity goals.

Goldblatt: As an advocate, I just wanted to reiterate that in subsidized housing we see these conditions frequently. We're in a situation where we need to move people experiencing homelessness into affordable housing, yet we recognize that there are people dying from black mold inhalation in this same housing. We also want to point out that budgets are moral documents and currently the ones that are being reflected in Baltimore are amoral. I want to talk about [the bill mentioned previously](#), which required landlords to accept either a lump sum security deposit or spread the deposit out over months through use of a financial product. It was promoted as a renters' choice bill, but it was really a landlord choice bill, and it was backed by a venture capital company called Rhino. This would essentially be subprime lending, and allows for tenants to pay a small sum per month in exchange for signing their rights away, including the right to a return of their deposit. It also allows landlords to be more particular about who they rent to, which compromises Fair Housing law. We managed to amass a very large coalition, through a diversity of tactics, for a maximalist approach to advocacy. Once you give people who are strong advocates the information they need, we were able to spread out widely throughout the city. The defeat of the bill was a major accomplishment as the landlord lobby was united in support. I'm sharing [a resource for other advocates](#) who may be dealing with similar proposed legislation.

Sybil Hebb, Director of Legislative Advocacy, Oregon Law Center: Here in Oregon a bill was passed in May that extended the repayment period for rent arrearages. The grace period for back due rent now extends until the end of February 2022. No declaration is required, the grace period is universal. There is also a temporary extension of the 10 day termination notice (rather than 72 hours). Additionally, it offers protection against the use of eviction records in landlord screening, and allows tenants to request court sealing of those records. This is significant because there were many eviction filings that should have been invalid, but resulted in default judgments against tenants which then has a critical impact in accessing housing in the future. It also prohibits credit reports for rent debt from being considered in the screening process; protections for 'doubling-up' (people letting others stay at their homes); and an extension of increased retaliation provisions. So it has important protections but does *not* extend the moratorium, which expires June 30. The bill was designed with the assumption that our state's rent assistance programs would be more operational than it actually is.

Q: What are the enforcement mechanisms for the screening requirements?

A: There is a statutory penalty for violation that is not very high. They are enforced through court, and we're trying to step up our efforts to provide greater access to legal resources because what we have is not enough.

Other resources:

1. The Urban Institute's [Housing Crisis Research Collaborative](#) is seeking research proposals from groups, communities, and geographic regions that have been disproportionately affected by the pandemic.
2. The Othering & Belonging Institute will host the webinar, [The Roots of Structural Racism: Residential Segregation in the US](#) on June 22.

3. The Joint Center for Housing Studies at Harvard will host a webinar June 16 to coincide with the release of their annual [*State of the Nation's Housing*](#) report.
4. The Urban Institute's guide to [applying equity in data visualization](#).