NLIHC's HoUSed Campaign for Long-Term Housing Solutions

October 25, 2021

Agenda

Welcome & Updates

- Joey Lindstrom, NLIHC

Advancing Long Term Solutions: Updates, Resources & Next Steps

- Sarah Saadian, NLIHC

How Affordable Housing Investments in Build Back Better Strengthen Childcare & Climate Change Provisions

- Kyra Miller, National Women's Law Center
- Khalil Shahyd, National Resources Defense Council

New Report on Affordable Housing Preservation

- Dan Emmanuel, NLIHC

Field Updates

- Natalie James, Prosperity Indiana
- Sue Watlov-Phillips, Metropolitan Interfaith Coalition for Affordable Housing
- Lindsay Thrall, Evernorth (VT)

ERASE Project Updates & ERA Spending Tracking

- Emma Foley & Jade Vasquez, NLIHC

Special Guest

- Senator Jeff Merkley (D-OR)

Next Steps

Welcome & Updates

Joey Lindstrom

Director for Field Organizing

National Low Income Housing Coalition

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Advancing Long Term Housing Solutions: Updates & Next Steps

Sarah Saadian

Vice President of Policy

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How Affordable Housing Investments in Build Back Better Strengthen Childcare & Climate Change Provisions

Kyra Miller

State Policy & Outreach Manager

National Women's Law Center

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How Affordable Housing Investments in Build Back Better Strengthen Childcare & Climate Change Provisions

Khalil Shahyd

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New Report on Affordable Housing Preservation

Dan Emmanuel

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Picture of Preservation 2021

Dan Emmanuel
Senior Research Analyst
National Low Income Housing Coalition

PAHRC
NATIONAL LOW INCOME HOUSING COALITION

Background

- Partnership with the Public and Affordable Housing Research Corporation (PAHRC)
- The National Housing Preservation Database (NHPD)
- Picture of Preservation (PoP) is an annual report

The Federally Assisted Stock

In 2020, nearly five million homes were assisted by the following federal programs:					
Low Income Housing Tax Credit (LIHTC)	Section 8*	Public Housing	Section 515	Section 521	HOME Investment Partnerships Program (HOME)
2,485,828	1,408,227	913,326	383,317	272,878	252,576
HUD insured mortgages	Project Based Vouchers (PBVs)	Section 538	State HFA Funded Section 236	Section 202 Direct Loans	Mod Rehab
155,228	128,061**	60,448	35,605	32,887	17,553**

Note: Multiple programs can assist federally assisted homes. Tax Exempt Multifamily Housing Bonds, Community Development Block Grants (CDBG), national Housing Trust Fund (HTF), McKinney Vento Permanent Housing, and Housing Opportunities for Persons with AIDS (HOPEWA) are not included in this report.

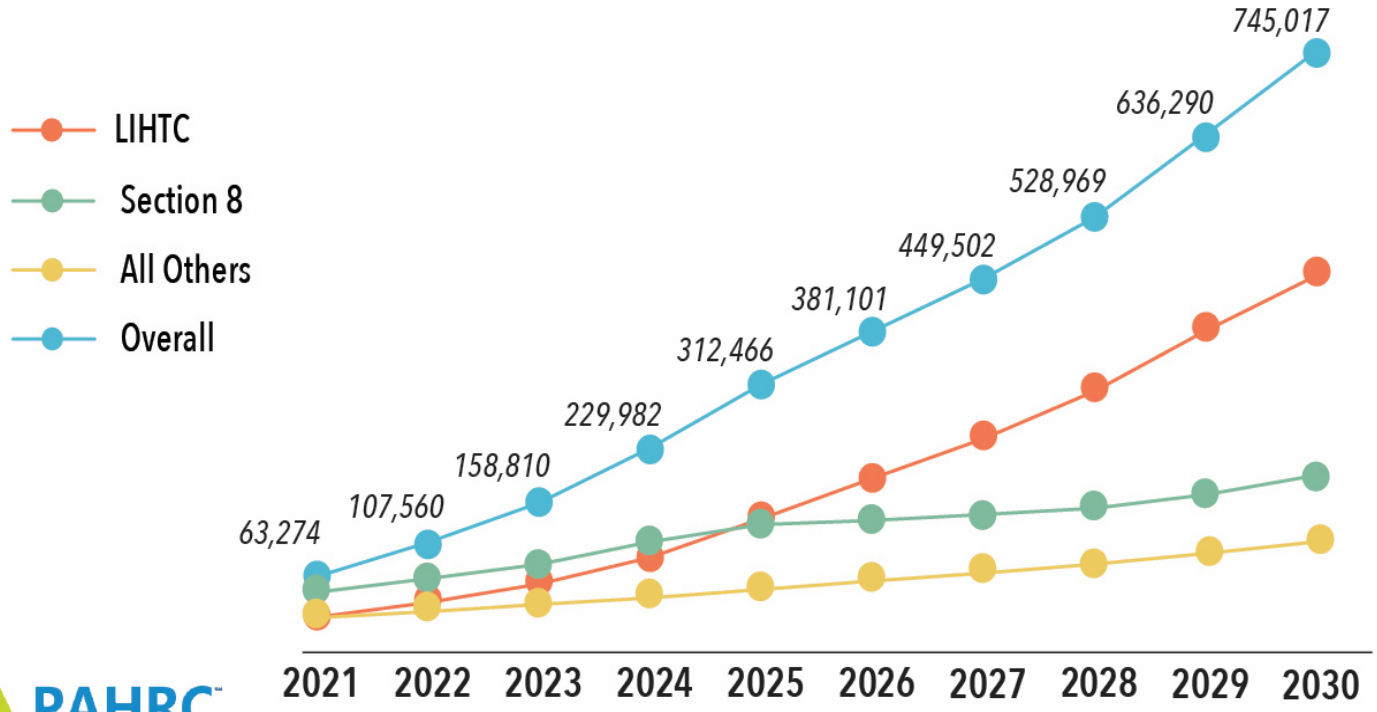
*Section 8 includes any property with a project-based Section 8 contract, including Section 8 Project Based Assistance (PBRA), Section 202 Supportive Housing for the Elderly, and Section 811 Supportive Housing for Persons with Disabilities.

**This is underestimated since buildings with less than 11 assisted by this program are excluded due to data censoring.

PAHRC NATIONAL LOW INCOME HOUSING COALITION

Affordability restrictions are set to expire for 745,017 federally assisted homes in the next ten years

Publicly Supported Homes with Affordability Restrictions Expiring by 2031



SOURCE: PICTURE OF PRESERVATION 2021

PAHRC

NATIONAL LOW INCOME HOUSING COALITION

Housing Quality

- Limited Data (not collected for 51% homes)
- 23% of public housing homes and 4% of homes assisted by project-based Section 8 failed their last REAC inspection
- $79 billion Public Housing backlog

Historical and Projected Losses

- In recent years….
  - 44,629 homes lost
  - 129,819 homes preserved
- LIHTC since 1990…
  - 143,456 LIHTC homes total, ~114k to QC loophole
- 176,760 homes could be lost in next 5 years

Preservation and Build Back Better

- Federally assisted housing is not a one-time investment
- Preservation is part of closing the affordable housing gap
- Need historic investment in deeply targeted programs and strengthened preservation policies

Questions?

NLIHC

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PAHRC

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www.preservationdatabase.org

PAHRC NATIONAL LOW INCOME HOUSING COALITION

Field Updates

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Field Updates

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WE DEMAND
housing stability & justice
Build Back Better!
Increase Housing $$
PASS
The Build Back Better Act
NOW!
HOUSING IS A HUMAN RIGHT
I my dream
BRING AMERICA HOME NOW

BRING AMERICA
HOME NOW
"There is nothing new about poverty. What is new is that we now have the techniques and the resources to get rid of poverty. The real question is whether we have the will."
#mlkonpoverty
#homesnothandcuffs

BRING AMERICA
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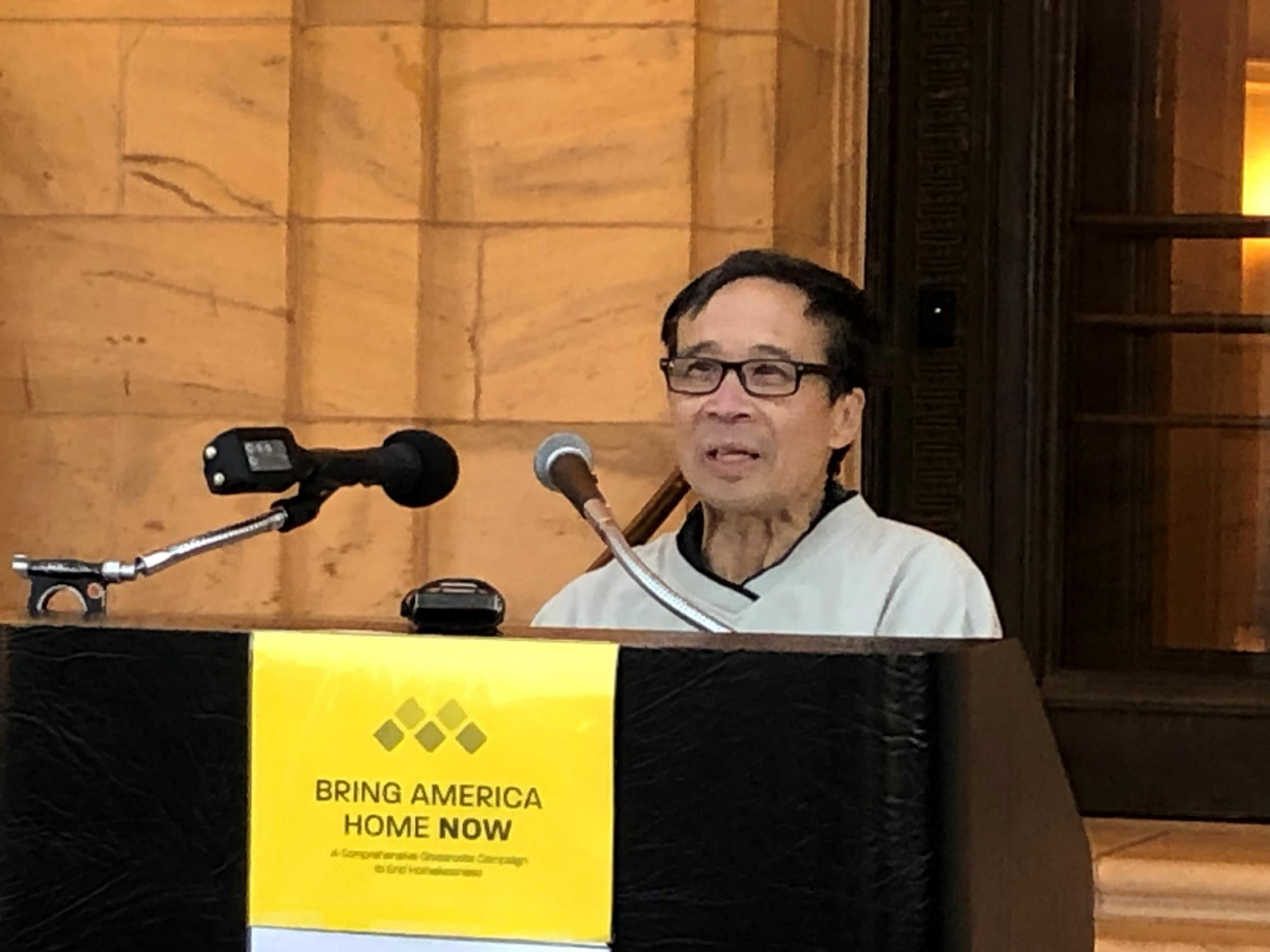
BRING AMERICA
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HOUSING IS A
HUMAN RIGHT
my dream
Lost Home
Lost Family
Lost Job
Anything will

Field Updates

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ERA Spending Tracking & ERASE Project Updates

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Jade Vasquez

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NATIONAL LOW INCOME HOUSING COALITION

Emergency Rental Assistance and ERASE

Updates on tracking and resources

October 25, 2021

Emma Foley (she/her)
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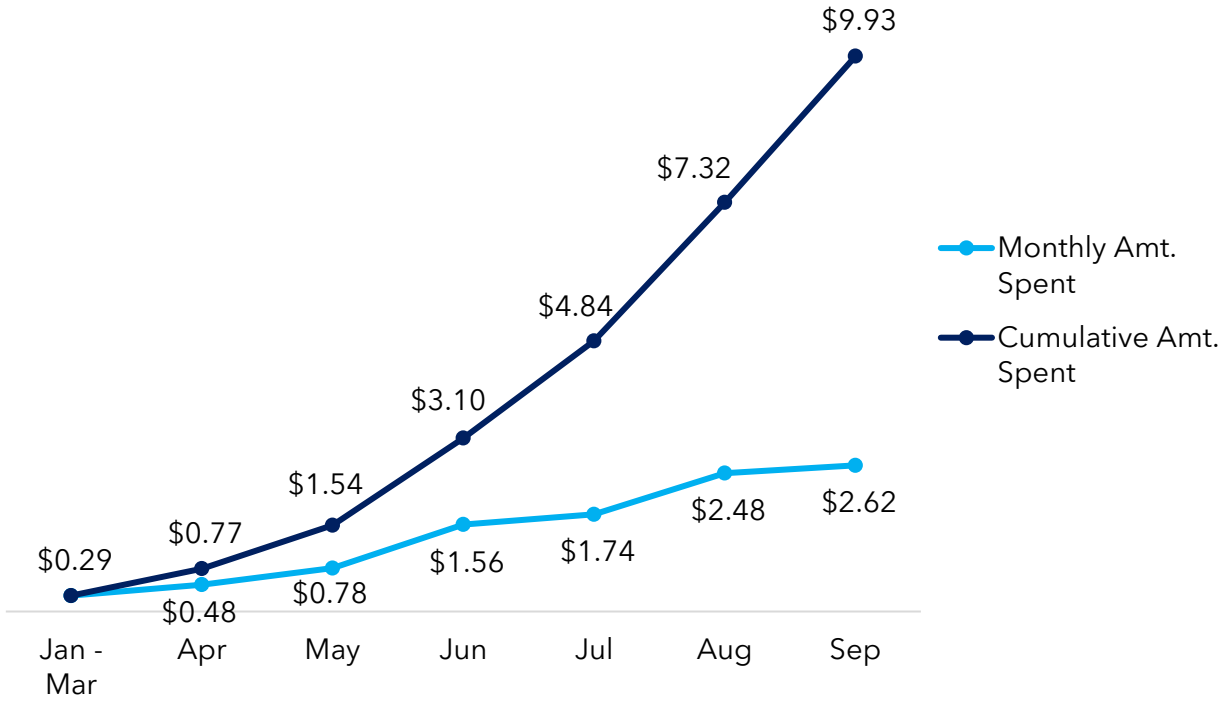
Treasury Releases September Spending Data

NATIONAL LOW INCOME HOUSING COALITION

ERA1 Spending (in billions)



Source: Emergency Rental Assistance Program (ERA1) Interim Report, January 1 - September 30, 2021

State Grantees at Risk of Reallocation

NATIONAL LOW INCOME HOUSING COALITION

State	Expenditure Ratio	State	Expenditure Ratio
South Dakota	3%	Vermont	14%
Wyoming	3%	Indiana	15%
North Dakota	4%	Mississippi	17%
Arizona	5%	Rhode Island	17%
Nebraska	6%	Missouri	18%
Arkansas	8%	Utah	22%
Delaware	9%	Wisconsin	23%
Idaho	9%	Florida	24%
Georgia	9%	Louisiana	24%
Tennessee	10%	Nevada	24%
Alabama	10%	New Mexico	25%
South Carolina	10%	Oklahoma	25%
Montana	11%	Maryland	26%
Iowa	11%	Maine	26%
West Virginia	13%	Kentucky	27%
Ohio	14%	New Hampshire	28%

High Spending State Grantees

NATIONAL LOW INCOME HOUSING COALITION

State	Expenditure Ratio
New Jersey	100+%
District of Columbia	99%
New York	93%
Illinois	83%
Virginia	80%
California	79%
North Carolina	72%
Texas	71%
Alaska	56%
Massachusetts	54%

NLIHC Spending Tracking

NATIONAL LOW INCOME HOUSING COALITION

Spending Tracker (ERA1)

44.2%

Total funding amount:
$25.00 billion

Amount approved or paid to households: **$11.05 billion**

NLIHC tracks data on ERA1 funds approved or paid to households from all 50 state ERA programs the District of Columbia's ERA program, and nearly 300 local ERA programs. The tracker includes information from (1) U.S. Department of the Treasury's Emergency Rental Assistance Program Monthly Compliance Report and Quarterly Reports, (2) publicly available data from program dashboards, (3) data from communications with program administrators and advocates, and (4) news articles. Data is not yet available for ERA programs run by the Department of Hawaiian Home Lands, Tribes and Tribally Designated Housing Entities, so the tracker does not include spending data from these grantees. This data will be added as it becomes available.

Additional data points and disaggregated spending and other data from state and local programs with ERA dashboards can be found here (see State spending rates in the third tab).

NLIHC ERA SPENDING TRACKING →

nlihc.org/era-dashboard

Reallocation

NATIONAL LOW INCOME HOUSING COALITION

- Reallocation will be based on September spending and obligation numbers
  - Treasury Reallocation Guidance
  - NLIHC Reallocation Overview
- Several states and localities have begun submitting letters to Treasury requesting more funds:
  - New York
  - District of Columbia
  - Philadelphia

NATIONAL LOW INCOME HOUSING COALITION

For more detailed data, visit bit.ly/ERA-spending

Know of ERA dashboards not listed in the database?

Email research@nlihc.org and we will add them to the list!

Special Guest

Senator Jeff Merkley

Oregon

United States Senate

NATIONAL LOW INCOME HOUSING COALITION

Ending Rental Arrears to Stop Evictions (ERASE)

ERASE Website

NATIONAL LOW INCOME HOUSING COALITION

https://nlihc.org/erase-project

- Overview
- The ERASE Cohort
- Advocacy & Action
- ERA Dashboard
- ERA Resource Hub
- NLIHC ERA Spending Tracking
- Contact Us

Overview

NATIONAL LOW INCOME HOUSING COALITION

End Rental Arrears to Stop Evictions (ERASE) is a national effort led and coordinated by the National Low Income Housing Coalition (NLIHC) to ensure that the historic aid enacted by Congress reaches the lowest income and most marginalized renters.

Visible

Conduct equitable and robust marketing and outreach efforts to ensure that all landlords and low-income renters know about the Emergency Rental Arrears Program (ERAP) and how to access it in their community.

Accessible

Support access to and disbursement of financial support to landlords and tenants by ensuring an accessible, streamlined, and low-barrier ERAP application process.

Preventive

Prevent housing displacement by creating formal partnerships with your state and/or local court to support eviction prevention and eviction diversion in coordination with ERAP.

Website Resources: The ERASE Checklist and the ERASE Assessment

The ERASE Cohort

NATIONAL LOW INCOME HOUSING COALITION

- NLIHC is currently providing funding and technical assistance to **35 state and local nonprofit partners.**
- Cohort members meet biweekly to advance strategies, policies, and legislation that accelerate equitable distribution of emergency rental assistance funds, promote tenant protections, and prevent evictions.
- Resources on the website include presentations and briefings conducted by cohort members.

dataworks nc
EMPOWER DC
FLORIDA HOUSING COALITION
Georgia ACT
HHCK
Housing Alliance of Pennsylvania
HOUSING NETWORK of RHODE ISLAND
LIHCA
mhp
MIAMI WORKERS CENTER
NEBRASKA Housing Developers ASSOCIATION
RICHLAND LIBRARY
TEXAS HOUSERS
United Community Housing Coalition
WASHINGTON LOW INCOME Housing Alliance
MCAH

Advocacy & Action

NATIONAL LOW INCOME HOUSING COALITION

Advocacy & Action

ERASE MATERIALS

- Looking for Rental Assistance?
- Overview
- The ERASE Cohort
- Advocacy & Action
- ERA Dashboard
- ERA Resource Hub
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- Contact Us

Federal

NLIHC is utilizing the information and experiences we are collecting from our research and our work with state and local partners to advocate for program improvements and tenant protections that would support successful implementation and sustainability of emergency rental assistance.

Letters to Biden: NLIHC Eviction Lab Treasury Data NLIHC

NLIHC and the Eviction Lab sent a joint letter to Secretary Janet Yellen on August 30, requesting a data sharing agreement with the US Department of Treasury. Specifically, NLIHC and the Eviction Lab requested monthly aggregated data related to households receiving emergency rental assistance (ERA), so the organizations can analyze the relationship between ERA payments and eviction patterns (both historical and during the pandemic), analyze the neighborhood racial characteristics of ERA distribution, and further examine the relationship between program elements (i.e. self-attestation or direct-to-tenant assistance) and ERA distribution.

▶ Click Here to View the Interactive PDF of the Report.

NLIHC Testimony

NLIHC President and CEO Diane Yentel testified before the House Financial Services Committee (HFSC) at its September 10 hearing on reforms needed to expedite the distribution of emergency rental assistance (ERA). Shortly after, the HFSC voted 28 to 22 to approve the "Expediting Assistance to Renters and Landlords Act," which would require ERA grantees to accept self-attestation of ERA eligibility from tenants, provide safe harbor to ERA administrators utilizing self-attestation, require direct-to-tenant assistance when a landlord refuses to participate, and provide an additional $50 million to Treasury to conduct outreach and provide technical assistance to administrators. Read Diane's written testimony.

▶ Click Here to View the Interactive PDF of the Report.

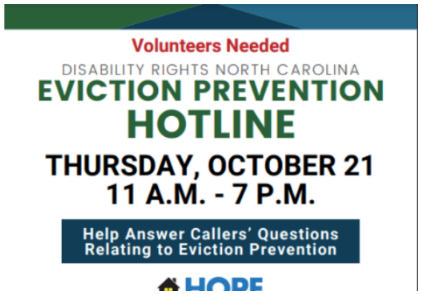
State Advocacy

Everyone Can Help Ensure that Emergency Rental Assistance Gets to Households in Need

- **Governors and Mayors.** Adopt the state and local policies that support emergency rental assistance distribution and tenant protections provided in the ERASE Checklists.
- **Program Administrators.** Ensure that your ERA program is accessible, streamlined, and low barrier. Use Treasury Guidance and avoid layering on additional requirements.
- **State and Local Courts.** Utilize ERA to support eviction prevention and diversion efforts. Communicate with your ERA administrator.
- **State and Local Coalitions**. Encourage your state and local administrators to implement program flexibilities and best practices into your local ERA programs. Send letters and written guidance, convene stakeholders, including tenants and other state and local coalitions to add their voice to the effort. Track and monitor program and eviction data.
- **Tenants and Low-Income Renters.** If you have received ERA, share your experience. Assist neighbors and friends who might be in need.

STATE & LOCAL TENANT PROTECTION LEGISLATION DATABASE →

North Carolina Pro Bono Resource Center:



State and Local ERA Tenant Protections Database

State and Local ERA Tenant Protections Database (Last Updated on 10.19.21) .XLSX

File Edit View Insert Format Data Tools Help

100% View only

State	Jurisdiction	Type	Number	Status	Purpose	Link
Kentucky	Louisville	Ordinance	O-132-21	Passed on 4/22/2021	Establishes a Right to counsel program for tenants that have at least one child and are under 125% AMI. The program is funded through the American Rescue Plan Act and will run for at least one year.	https://louisville.legistar.com/LegislationDetail.aspx?ID=4922202&GUID=D60DDAD1-DF28-48A2-9C14-399D7B09086A&Options=&Search=&FullText=1
Louisiana	New Orleans	Policy		Passed on 2/10/21	Landlords that accept ERA funds will not be able to evict tenants for 180 days without good cause.	https://ready.nola.gov/incident/coronavirus/update/mayor-s-office-announces-rental-assistance-program/
Maine	Statewide	Legislation	LD 1508	Passed on 6/21/21	"An Act to Reduce Homelessness by Reducing Evictions" (L.D.1508) mandates that landlords attach a "plain-language notice" written by the judicial branch to all future eviction notices. The notice will include key information for tenants about the eviction process, how to request mediation, and how to access rent relief and legal assistance.	http://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280080441
Maryland	Statewide	Legislation	HB 18 / SB 154	Passed on 5/28/21	H.B.18, "Access to Counsel in Evictions," mandates that all income-eligible renters will have access to free legal counsel in evictions and subsidy terminations by 2025, and it requires landlords to send tenants a 10-day notice of intent to file an eviction complaint for past due rent.	https://legiscan.com/MD/bill/HB18/2021 https://legiscan.com/MD/bill/SB154/2021
Massachusetts	Statewide	Statute	Chapter 257 of Acts of 2020	Ruled on 8/26/21	Bars evictions from being finalized if a tenant has a pending application for rental assistance.	https://malegislature.gov/Laws/SessionLaws/Acts/2020/Chapter257 https://www.supremecourt.gov/opinions/20pdf/21a23_ap6c.pdf
Michigan	Statewide	Court Order	Order No. 2020-17	Ruled on 6/9/21	The Michigan Supreme Court imposed a requirement that, for cases filed for non-payment of rent, a court must stay further proceeding after the pretrial hearing is conducted and not proceed to judgement if a tenant applies for rental assistance and notified the court of the application. The stay is contingent on an eligibility determination made within 30 days of the pretrial hearing, the defendant is eligible to receive assistance t for all rent owed, and the plaintiff receives payment within 45 days of pretrial hearing.	https://www.courts.michigan.gov/4a71a8/siteassets/rules-instructions-administrative-orders/proposed-and-recently-adopted-orders-on-admin-matters/adopted-orders/2020-08_2020-06-09_formattedorder_ao2020-17withamendments.pdf
Minnesota	Statewide	Legislation	SSHF4	Signed into law 6/29/21	Provides off ramp from eviction moratorium 150 days. Landlords would be required to notify tenants at least 15 days in advance that they face eviction, be given a precise dollar amount of the back rent owed, and be supplied with information about how to apply for rental assistance programs available from state and local agencies. Filing against a tenant with a pending rental assistance application is prohibited until 6/2022.	https://www.house.leg.state.mn.us/bills/Info/HF4/92/2021/1

Additions to the Database:

- Contact Jade Vasquez @ jvasquez@nlihc.org

ERA Resource Hub

NATIONAL LOW INCOME HOUSING COALITION

ERA Dashboard

505
Treasury ERA programs in database

Programs open or soon to open 94.7%
Programs closed 4.6%

39.2%
Programs serving households with federal rent subsidies
See Programs

59.2%
Programs allowing at least one form of self-attestation
See Programs

Self-attestation for COVID hardships 45.0%
Self-attestation for income 18.2%
Self-attestation for non-traditional income 27.5%
Self-attestation for housing instability 15.0%
Self-attestation for lease/ proof of tenancy 9.5%

22.8%
Programs with additional prioritization
See Programs

28.1%
Programs allowing direct-to-tenant assistance
See Programs

50.5%
Programs covering other housing expenses
See Programs

Programs covering:
Relocation expenses
Late fees
Hotel/motel stays
Internet costs
Uncategorized housing expenses

Resource Hub

ERA Program Design and Implementation | ERA Guidance | Research and Evaluation | ERA Spending Tracking and Data

Outreach Materials +
Self-Attestation +
Direct-to-Tenant Examples +
Applications Examples +
Prioritization Examples +
Other Innovations +

Spending Tracker (ERA1)

42.6%

Total fundin
$25.00 b

Amount approved or paid to households: $10.66 billion

NLIHC tracks data on ERA1 funds approved or paid to households from all 50 state ERA programs the District of Columbia's ERA program, and nearly 300 local ERA programs. The tracker includes information from (1) U.S. Department of the Treasury's Emergency Rental Assistance Program Monthly Compliance Report and Quarterly Reports, (2) publicly available data from program dashboards, (3) data from communications with program administrators and advocates, and (4) news articles. Data is not yet available for ERA programs run by the Department of Hawaiian Home Lands, Tribes and Tribally Designated Housing Entities, so the tracker does not include spending data from these grantees. This data will be added as it becomes available.

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NLIHC ERA SPENDING TRACKING →

ERA Spending Tracker

For updates or questions on these resources, contact **research@nlihc.org**

Contact Us!

NATIONAL LOW INCOME HOUSING COALITION

ERASE Team

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Next Steps

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Resources

NLIHC's HoUSed Campaign (nlihc.org/housed): Campaign Updates