

MEMORANDUM

Date: May 10, 2021

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, May 3 - 9.

News¹

1. A federal judge in the District of Columbia ruled May 5th that the CDC's eviction moratorium was an overstep of the agency's authority. This is the latest of several similar rulings, though this goes further than the previous ones in moving to strike down the moratorium nationwide. The Justice Department is appealing the ruling on behalf of the CDC. ([National Public Radio](#))
2. The U.S. Department of the Treasury released new guidelines on Emergency Rental Assistance (ERA) that incorporate many aspects advocates have been requesting. These include a requirement that programs offer assistance directly to tenants when landlords elect not to participate, and that ERA programs report on how they will prioritize households with the lowest incomes. ([USDT](#))
3. The Consumer Financial Protection Bureau (CFPB) and the Federal Trade Commission (FTC) sent letters to some of the largest landlords in the country, reminding them of federal protections in place to keep Americans who rent their homes housed during the pandemic. ([CFPB](#))
4. The Terner Center for Housing Innovation at the University of California, Berkeley released a report with recommendations for how the Biden administration can expand and target housing subsidies, including Housing Choice Vouchers and funds for the construction of more affordable housing. ([NLIHC](#))
5. Voters in Austin passed legislation to reinstate the city's public camping ban. It is scheduled to go into effect May 11th, but the city has not yet announced plans on how the restrictions will be enforced. ([KXAN Austin](#)) City officials and nonprofits are working on options for houseless Austinites who are removed from public spaces by police. ([Austin American-Statesman](#))
6. According to a new report by the Coalition for the Homeless, the number of adults in New York City homeless shelters increased in February 2021 to a record high of 20,822 people.

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

The Coalition identifies the lack of affordable housing as the most significant factor, and advocates are calling for an increase in the value of the city's housing vouchers. ([BK Reader](#))

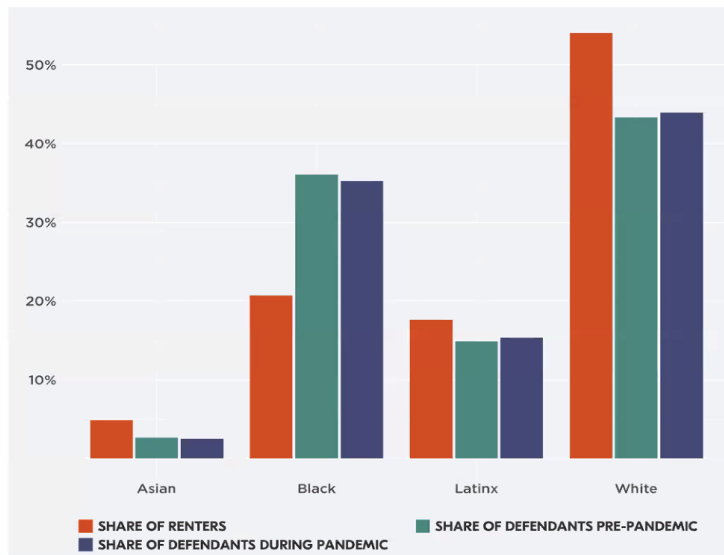
7. The City of Fresno (CA) has purchased eight motels through the state's Project Homekey initiative, for a total of 500 affordable residential spaces with more in-progress. The renovation and conversion of the historic Fresno Hotel will provide housing for individuals making under \$40,000 a year or families making under \$80,000. ([Your Central Valley](#))
8. Advocates in California are pushing to keep hotel shelter programs available on an ongoing basis, citing positive outcomes for participants when compared to traditional congregate shelters. The state has spent \$512 million on non-congregate shelter programs since the pandemic began, with billions of additional funding from the federal government. ([CapRadio](#))
9. In Portland, OR nonprofit service provider Central City Concern received a grant to convert a 70-room motel into transitional housing for people who are experiencing, or at risk of homelessness, and are recovering from addiction. The organization is partnering with The Native American Rehabilitation Association, which will provide referrals for up to 15 rooms. ([FOX 12 Oregon](#))

National HoUSed Campaign Call for Universal, Stable, and Affordable Housing (May 3):

Peter Hepburn, Assistant Professor of Sociology, Rutgers University-Newark; Research Fellow, Eviction Lab at Princeton: We just published a paper in *Socius*, which is an open-access journal. We also posted a short summary of it to our website as well. There are seven key findings and the first is, there was a large reduction in evictions filings, two thirds less than the historical average. The second, the federal moratoria really work, although they were significantly higher during the second one (the CDC moratorium). The third finding is that the state and local moratoria work too, but it varies by the point in the eviction process where the moratorium freezes it. The fourth, the CDC moratorium varies in effect by location. The fifth, the Eviction Tracking System only tracks 1 in 5 renter households, so we used a regression analysis to predict filings elsewhere. When we combine these numbers we estimate there were 1.55 million fewer eviction filings nationwide. The sixth finding is that Black renters are at a much higher risk of eviction (see figure below), and the majority of filings are against women. Finally, the amounts claimed in filings rose dramatically during the pandemic, although the neighborhoods where they are concentrated remain the same as before.

[Read the full report](#)

6. Black renters are at high risk



[Read more on the demographics of evictions](#)

Q: Where are you tracking data and how can people help you add locations?

A: We started with a small set of locations, but there are a lot of places where the data is difficult to obtain. We are at 5 full states and 16 cities, but our coverage on the West Coast is not great. We just added Dallas and are hoping to add New Orleans soon. If you know of people who are already collecting data on locations we don't have, please reach out to us.

Q: Do you have data on the causes?

A: Some jurisdictions do have that data. We've seen an increase in holdover cases and a decline in non-payment cases, which may be because more landlords are becoming aware of the CDC moratorium so they're looking for other reasons.

Q: Is it helpful for law school students to help out where there's a dearth of data?

A: I think finding ways to link up local eviction data to emergency rent assistance and legal assistance is an area where law students could be a great resource.

Mike Wallace, Legislative Director, National League of Cities: We teamed up with NLIHC to help city leaders and appointed officials improve their programs to speed up the relief going to residents, and put a document together with guidance. In some cases the targeting in various programs could be a lot better for reaching people in need. Housing stability is a prerequisite for economic mobility, job security, and health and wellbeing. This is the message we share with local leaders in advocating for the effective distribution of American Rescue Plan (ARP) funds. ARP's policy goal is to restore full employment and fully reopen the economy, and housing is the foundation for that. Emergency

rental assistance programs rely on state and local governments to connect to residents and landlords, but the funds are reaching people too slowly, and avoidable set-backs like damaged credit are mounting. Outcomes for public investment in job-training and workforce development will decline as a result of housing instability.

Emergency measures to contain the virus unintentionally and unavoidably harmed residents in the form of lost income. Those with the lowest incomes have been the most impacted, and racial inequities have intensified. Millions of low-income households are behind on their rent and landlords in turn may be unable to meet their financial obligations. As a result, the risk is high for increasing homelessness and the permanent loss of affordable housing just as the economy starts to rebound. In the guide we have some quick tips and suggestions, as well as key principles for model emergency rental assistance programs. They are: 1. Center equity in design and implementation; 2. Prioritize households with greatest needs; 3. Partner with trusted community-based organizations; 4. Simplify applications and allow self-attestation; 5. Engage landlords; 6. Provide direct-to-tenant assistance; and 7. Incorporate racial equity in performance metrics.

[Read the resource](#)

Neetu Nair, NLIHC: As of May 3rd our Emergency Rental Assistance database includes over 900 programs, 300 of which are using federal funds.

Rebecca Yae, NLIHC: Our initial observations are that excessive documentation requirements continue to be an issue. Only 31% of programs explicitly state that self-attestation is an acceptable substitute for proof of documentation. This has increased a little bit with our last update of the database. This is an area where advocates have an opportunity to influence decision makers. Additionally, only 17% of programs state they will directly issue assistance to tenants only if landlords refuse to participate, and some programs will dismiss the application if landlords do not respond.

Diane Yentel, NLIHC: The issues that Neetu and Rebecca shared are of concern and we have written letters to the Treasury. They are taking these concerns seriously, and we hope they will issue guidance soon. Someone asked why some landlords are refusing to participate. Some of the larger corporate landlords seem to be making a calculation that they'd rather eat the lost cost and then evict the tenants when they can. There's also complexity in that some of their property portfolios are across state lines. Some smaller landlords also don't have the required documentation on their end. Then, there are programs that entail the landlord forgiving part of the rent owed, or agreeing to concessions like not evicting the tenant or raising the rent for a period of time. If the landlord refuses to participate it's the tenant that is most harmed, so we have to make sure those programs are using the flexibility provided.

Erin Kahn, Consultant, All in Washington's Vaccine Equity Initiative: We're a grantmaking organization that aims to provide relief to disproportionately impacted communities. The Vaccine

Equity Initiative supports equitable distribution of vaccines by offering grants up to \$50,000 to community-based organizations for things like education and messaging, outreach and registration support, hosting or co-hosting mobile clinics, and transportation. Our priority populations are farmworkers and agricultural workers, immigrants and refugees, BIPOC population broadly, unsheltered and homeless populations, individuals recently released or still involved in the criminal justice system, and people with disabilities. We are seeing a lot of variability in vaccine uptake by geography. We're learning that messaging really matters, but there is no single message that works. The source of the information matters, and people may need multiple touch points to influence their decision to get vaccinated. Focus group data suggests many people are motivated to see their family and friends again.

In terms of what we're seeing from grantees, there are lots of opportunities for collaboration, such as co-hosting events. Bringing pop-up events to trusted community sites has been a successful strategy. Non-traditional partners can be promising (e.g. that aren't usually involved with public health or social services). Finally, making it a celebratory experience has had positive results. There's a large public sector investment in vaccine efforts, including communications and messaging. At the same time, there's much less public sector funding available for community based organizations' outreach.

Bob Palmer, Policy Director, Housing Action Illinois: The General Assembly just passed the COVID-19 Emergency Housing Act. This codifies certain provisions of the state's federal rental assistance fund's to ensure that people with the lowest incomes and most severe housing needs are able to access the \$566.2 million. It requires eviction records from March 2020 to March 2022 to be sealed upon filing, with limited unsealing if a judgement is entered and the case is not related to nonpayment of rent. It also requires the sealing of older eviction records if the court finds that doing so is in the interests of justice. It prohibits tenant screening companies from disseminating sealed eviction records and creates penalties for doing so. Finally, it created foreclosure moratoriums for homeowners and landlords.

Joint Center for Housing Studies at Harvard webinar (May 7) - *Multidimensional Housing Insecurity: A New Approach to Measuring, Understanding, and Addressing Problems Among Renters*

Presenter: [Giselle Routhier, PhD](#)

We know from the literature that housing security is important for health and wellbeing. However, insecure housing is widespread among renters in the United States. More than 20 million renter households were already rent burdened before the pandemic began, in addition to other critical issues like overcrowding and habitability. In housing research, many aspects of tenancies are studied in isolation rather than holistically. My research questions ask how widespread housing insecurity is, and how inequities express themselves in housing insecurity. I theorize housing insecurity as consisting of four dimensions: unaffordability, crowding, poor physical conditions, and

forced moves. I also ask how these dimensions should be measured, considering the limitations of previous operationalizations in other research. My data set is the 2015 American Housing Survey with a sample of over 18 million renter households in 25 cities. I found that there's a high level of positive correlation within and between the variables of the four dimensions, meaning if someone experiences one of these variables they're likely to experience others. More than half of the households in the sample experienced some level of housing instability. To break it down further, 34.2% experienced one variable, 45.3% experienced a multi-variable one-dimensional form of insecurity, and 20.5% experienced multi-dimensional, multi-variable insecurity.

Housing insecurity is widespread among US renters and can manifest in a variety of ways, through a combination of the four identified dimensions. The second piece is around how housing inequities manifest in experiences of housing insecurity. The Fair Housing Act tends to focus on access to housing, rather than housing security during the tenancy itself. Renter insecurity must be considered as an important evaluative component when considering the Act's targeted equitable outcomes. Among populations protected under Fair Housing, are there inequities in the severity and experiences of renter housing insecurity by protected status? And do inequities vary by dimensions of housing insecurity? The findings of the quantitative analysis found significant differences between groups along these variables. For example, households with a disability were 95% more likely to experience a forced move than the average. The implications of this research are that the households that are historically and currently impacted by discrimination, and most in need of Fair Housing protections, also experience severe and frequent manifestations of housing insecurity. In particular, the severity of the disparities for Black households is noteworthy. This points to the conclusion that housing insecurity should be an important evaluative component for assessing the success of fair housing policy.

Q: How has your involvement in homelessness advocacy informed your work?

A: The direct circumstances I see in my work at the Coalition For the Homeless when I talk to families that are becoming homeless led me to ask about these multiple dimensions. When it comes to homelessness, it's important to also look at how many renters might become homeless, who is at risk, and how we can direct resources.

Q: Have you thought about using your index to predict homeless risk?

A: Research overall predicting homelessness has been really challenging to pursue. It would require partnerships with state and local agencies to learn about housing circumstances prior to entering shelters. It's definitely something to look at with future research.

Q: Can you tell us a little bit about the differences with subsidized renters?

A: Having a voucher was a great predictor for housing affordability and protecting against forced moves. That leads into the research in my third paper which looks at policies that can prevent housing insecurity and vouchers are one of those. I also talk about policies that will protect against forced moves, like nationwide tenant protections.

Q: What is your big takeaway for housing policy?

A: There's never been a comprehensive federal approach to advancing renter security. At various times there may be one issue that was of greater concern at that particular time, such as a mid-20th century focus on habitability that resulted in slum clearance. So there are some unintended consequences of focusing on just one thing over another. Federal policy has also been too small in scope to address the problem. For example, Housing Choice Vouchers are available on a limited basis and are not an entitlement. Or public-private partnerships like Low-Income Housing Tax Credits (LIHTCs) often don't help the poorest households. On the local level when governments think about how to address housing insecurity they need to think about all these things. The challenge with tenant protections is that they are usually implemented at a local level, so we need to think about how to scale up.

Q: You talked in your paper about how the way people have experienced housing discrimination has changed over time. Can you talk a little bit about our changing understanding of Fair Housing?

A: I try to argue for why it's important to connect housing insecurity and Fair Housing. We had a much different housing market when the Act was passed than we do today. At the time there were increasing rates of homeownership and an increasing supply for multifamily housing. In the decades since, the market conditions have changed quite a bit, with the cost of ownership increasing substantially. As more people enter the rental market, the cost of renting increases as well. Then, there's federal underinvestment in low-income housing. Because of these factors we have a tighter rental housing market with low availability of affordable homes, so we have different circumstances in place. Discrimination is less likely to be overt and more likely to be tied to aspects like credit, criminal justice system contact, etc., so things that are proxies for race and ethnicity. We should be thinking about Fair Housing in the context of these contemporary conditions.