**POLICY MVM NOTES**

**JULY 27, 2020**

**Welcome/Overview** – Shannon Ross

**Objective**: Update each other on what is happening with pandemic relief efforts at the Federal level and share learnings from state and local responses to eviction moratoria, and discuss how members are thinking about their policy priorities in light of the important racial reckoning our country is undergoing.

**Federal Policy**

* Update on next COVID‐19 relief bill:
	+ The federal eviction moratorium under CARES Act recently expired and unemployment benefits will be expiring soon. It’s spurred Congress to start serious negotiations on possibly renewing benefits. Senate Republicans’ proposal will be narrower than what House and Senate Democrats have proposed. It will kick off the negotiation discussions, which will likely take a couple of weeks.
	+ We are 99 days away from the presidential election, and should figure into negotiations.
	+ Senate Republicans may extend unemployment insurance (albeit limited), additional stimulus checks, and blanket liability insurance.
	+ Thank you for advocacy to try to get rental assistance, CDFI Fund, fixes to the Housing Credit included these packages.
	+ White House Economic Adviser Larry Kudlow suggests [an extension of the federal eviction ban is in the works,](https://www.politico.com/news/2020/07/26/kudlow-government-federal-eviction-ban-381572) but we should be clear that any extension should be accompanied by rental assistance.
* Other Congressional Updates:
	+ The House has moved several bills that are housing friendly. In July, the House introduced a series of appropriations bills (FY 2021), including $17.5B in HOME as emergency supplemental relief. We expect to have appropriations conversations through the end of the year, but it’s good to have this marker bill.
	+ Kate asked, “Can you say more about whether Congress intended to do something specific to rent assistance”
		- Shannon: Senate Republicans don’t show any interest for rental assistance at this time. Rent assistance has been a Democrat priority, but somewhere below state and local assistance and unemployment benefits.
* Administration Updates:
	+ IRS issued some guidance for LIHTC properties; NCSHA and ACTION still looking for longer term relief. The IRS guidance pushes deadlines due now to the end of the year.
	+ HUD issued a Final Rule on AFFH rule last week. It weakens the 2015 AFFH rule and we are disappointed in HUD’s actions.
	+ Vincent O’Donnell – One of the concerns is not only the content, but HUD’s decision to rewrite the rule without regard for public comment. It could have broader implications for other rulemaking.
	+ Lisa: HPN joined other groups to [oppose](https://www.liifund.org/wp-content/uploads/2020/07/Joint-AFFH-statement-7.24.20-FINAL.pdf) the new rule.
* If you’d like to receive HPN’s Policy News, please email us and we can add you to our list.

**Eviction Moratoria**

The federal eviction moratorium has expired, with states extending their own moratoria and others deciding to proceed with eviction court filings. There is a patchwork of rules that is confusing to renters.

Shelley Murphy, Wesley Housing

* Operate in VA (across multiple jurisdictions) and in DC. The Virginia eviction moratorium has lapsed and courts could start hearings by the end of the month. DC extended the state of emergency to the end of October, and there is a 6 month grace period until evictions can start up.
* Wesley has reposition resident services coordination to reach out to renters on their needs (rent, utilities, food assistance, etc). Both property management and resident services are engaged in a kinder and gentler approach to rent payment. Not a lot of payment plans with renters have been established, but Wesley foresees these plans may increase.
* Wesley’s approach helps encourage renters to pay, even if it is a partial payment. Actively working to link residents to rental assistance programs. In one jurisdiction, Wesley could front the rental payment for the resident, and the City of Alexandria would reimburse the landlord directly for those payments.

Lena Andrews, ACTION Housing

* Operate in Pittsburgh and Allegheny County. One moratorium on the state level that in still in place that goes through August 31st. There is a slight issue with it; the waiver notice provision could be used as a loophole so that the moratorium does not apply in all cases
* Allegheny County’s eviction moratorium ended on June 1st and it did not have the notice provision included. ACTION Housing and other local housing organizations are trying to get the moratorium reinstated.
* On the rental assistance side, the state used CARES dollars to support RA. $37 million came through Pennsylvania Housing Finance Agency to Allegheny County; 2 weeks to ramp up the program. ACTION Housing is administering the program and funding has to be spent by September. This is a new line of work for ACTION Housing; they’ve done foreclosure prevention counseling and some rental housing counseling in the past. ACTION has received 2,600 calls for assistance thus far.
* PHFA’s program is $150M statewide and designated for households of 100 AMI and below.
* The City of Pittsburgh also increased their CDBG allocation for rental assistance.
* New pilot eviction prevention program (“Eviction Intervention Fund”) to help renters in the City of Pittsburgh who have active eviction underway in the court system. Renters are referred to this fund, and there is $400,000 available for those far along in the eviction process. The program was spurred by Pittsburgh Foundation. If the program is successful, they are looking at scaling the program up with more funding.
* Tom: As an administrator of the program, can you use funds on your properties?
	+ Yes, there is an additional level of process.
* David Adame: CPLC is a direct contractor with the state on their rental assistance program. There was originally a cap on the amount of assistance, but that was removed. CARES Act funded rental assistance program.
	+ April, May and June rent payments are eligible.
	+ The moratorium in Arizona was recently extended to October by the Governor.
	+ CPLC is also managing utility assistance programs with other government agencies. One utility company expected to write off $35 million.
* Kate Monter Durban: CHN Housing has created one point of entry for City and County rental assistance programs (short term emergency and delinquency payments; 3 months). The state might be doing something significant. CHN has been able to partner with another organization to help with longer term assistance (up to 8 months); renters’ information collected at one point and passed onto the partner org. CHN has hired 11 temporary positions to help stand up this massive operation for a short period of time. As additional sources of funds are available, they can be fed into CHN’s built structure.
	+ Cuyahoga County (3 months), coupled with utility assistance.
	+ Contracts with city and county = $14 M (CARES Act + County Treasury dollars).
	+ 3,800 applications received so far.

Question: Are evictions on the rise?

* Linda Mandolini (Eden) – There is a lack of court enforcement in the Bay Area. Expecting an uptick in non-payment in August. The state of California is looking extend the eviction moratoria, giving a 15 month repayment period after the state of emergency has concluded. One City Council passed an ordinance that allows for an indefinite time period to repay rent.

**Rental Assistance**

Question: Seattle Office of Housing has been distributing CDBG funds for rental relief but they are complicated to administer. Are other having any problems getting those dollars out the door?

* Lena: Pittsburgh is having the same problem; they are having trouble signing the contract. No dollars out the door yet.
* Clarification: CDBG has been awarded to nonprofit developers, but funds have not been transferred yet. Because of the eviction moratorium, residents don’t want apply for rental assistance due to complications.
* Kate: The way that CHN structured their program, all information necessary for compliance is already being collected. Self-certification is allowed, but CHN is collecting documents that show income (necessary for utility assistance). It’s been more difficult to get administrative dollars out of the contracts for staff salaries.
* Chad Martin: HDC MidAtlantic has been able to access both HOME and CDBG funds allocated by both the city and county here in PA. It has taken a group effort to submit the array of related applications.
* Shelley: In Virginia, localities are using a combination of CDBG CARES funding. Fairfax County is requiring a fair amount of detailed information. Arlington and others have been requiring residents to work with them directly, and that has been the most difficult. Wesley is trying to work alongside residents to assist with applying for RA.

Question: Are owners filing evictions when outreach efforts, in some cases to cure debt, to residents are not effective? (email Tom if this is the case)

Question: Some landlords have been [suing their states and localities](https://therealdeal.com/2020/07/21/from-la-to-nyc-landlords-are-suing-to-resume-evictions/) to end the eviction moratorium. Is this happening in your communities?

* Shelley: There is an undercurrent of rent strikes in Virginia linking it to beginning of eviction proceedings. It is forcing Wesley, and possible other affordable housing landlords, to be more cognizant of how they proceed with eviction filings when necessary.

Question, Harold Nassau: Are folks linking the emergency rent assistance to other financial capability programs or treating it as an entirely separate effort?

* Kate: CHN cannot provide counseling to everyone. Trying to triage and figure out who needs counseling the most, and conducting counseling with certain applicants.
* Linda: Eden is thinking about it. Received a grant from Wells Fargo and NeighborWorks to work on tenant relief. Under 300 people need assistance. If renters in need enter a 15 month repayment plan and if the renter pays for 12 months, Eden will forgive the balance. Eden is also thinking of how to queue up residents into financial counseling and budget training by working Community Housing Development Corporation of Richmond. CHDC has an online and by-phone counseling program. Looking to hire someone to do money management programming for Eden.

Question: Is anything being considered in new stimulus package to help affordable housing property owners?

* HPN, along with others, has been trying to get HOME funding to help property owners with operating assistance and development costs, in addition to rental assistance.
* HUD issued a [Housing Notice](https://www.hud.gov/program_offices/administration/hudclips/notices/hsg) to make available CARES funds for properties under Section 8, Section 202, or Section 811 Programs. The supplemental payments may cover additional cleaning and disinfecting, additional staff, face coverings, and other expenses to help keep properties safe for residents. **Requests are due by August 5, 2020**.

**Member Efforts on Racial Equity**

Started discussions at the Los Angeles Member Meeting and at our last Virtual Member Meeting. We’d like to weave racial equity issues in our discussions around policy. What have your organizations been involved in, at any level, to address systemic racism?

* Linda: Very interested in this conversation. Eden’s Board is very aggressively seeking options for a plan to address every facet of systemic racism. Eden is trying to decide how big their lane is going to be; housing is a very large part of discriminatory practices. Eden is in the middle of their strategic plan. Struggling at the grassroots level when discussing the “defund the police” movement, and where to be a leader without being a problem. Could Eden play the role of convener between cities and tenants?
	+ California is also going to be introducing a Housing as a Human Rights bill. Eden would be in favor of.
* Additionally, getting organized around where Eden may be able to intervene. Examples: Where they are building housing, what resident supports or services are being programmed, how to better work with tenant.
* Michael Monte: Champlain Housing Trust, along with 30 other organization, declared racism a public health emergency. The effort is led by the City of Burlington and the Racial Justice Alliance. Each organization was asked to come up a list of actions each could commit to.
* Chad: HDC included "advancing equity" in their five-year strategic plan. They participated in a NeighborWorks learning cohort around this work. And in the last six weeks or so they have really ramped up our equity efforts internally within the organization. We now have a voluntary staff team of about 20 that have agreed to meet weekly to work on our equity plan and strategy.
* Nina Dooley: Local labor efforts have been confrontational in Southern California; they have been challenging non-profit builders to contract or subcontract with more minority businesses. These more progressive labor groups that would like to see more residents employed on these developments. There are rumors of potential protests at these building sites.
	+ Shannon: If Democrats regain the White House or another chamber of Congress, labor equity issues will start to come in focus. We will want to be thoughtful about our relationship with Labor because of their relationship with Democrats.

**Looking Ahead – Topics and Areas of Focus**

MVMs will be taking a break in August, but we will be back in September. Please send us any discussion topics or model we can highlight and discuss!