

MEMO OF MEMBERS

The Weekly Newsletter of the National Low Income Housing Coalition

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Reminder: All NLIHC memberships expired June 30

If you have not yet renewed your membership in 2003, do so today to avoid missing out on *Memo to Members* and other member services! To renew, visit www.nlihc.org/about/join.htm or call 202-662-1530 x227.

National Housing Trust Fund

Hill Briefing Scheduled; NHTF Campaign Tours Illinois; NHTF Campaign Subject of Journal Article

On Wednesday, September 3, at 11 a.m., the National Housing Trust Fund Campaign will host a legislative briefing for housing staffers in the House of Representatives. In addition to explaining the National Housing Trust Fund legislation and providing an overview of the Campaign, a panel of Campaign sponsors will describe how the proposal will create economic stimulus opportunities, support education, provide healthy environments, and support rural development. The luncheon briefing will be held in room 2220 of the Rayburn House Office Building.



Representatives of the Campaign spent four days traveling across Illinois last week with state and local housing advocates to call attention to local, state, and national housing problems and solutions. The tour stopped in Jackson, Williamson, Marion, Peoria, Kane, Lake, Cook, DuPage, and McHenry counties. In each place, advocates held discussions with state and national elected officials, editorial boards, and local housing groups about local need and the National Housing Trust Fund. The tour generated significant media attention and additional endorsements for the Campaign. Events were organized in partnership with the Illinois Statewide Housing Action Coalition and the Chicago Rehab Network.

An article describing National Housing Trust Fund legislation and the history and activity of the Campaign has been published in the *Journal of Affordable Housing & Community Development Law*, the journal published by American Bar Association's Forum on Affordable Housing and Community Development Law. "New Rental Production and the National Housing Trust Fund Campaign," was written by NLIHC associate director Irene Basloe Saraf and Nancy Bernstine, senior policy analyst at McAuley Institute and NLIHC board member. The article will be posted at www.nlihc.org.

More information is available at www.nhtf.org.

HUD

Webcast on Housing Plus Services for Ex-Prisoners

On August 20, HUD broadcast a "live" webcast on Housing and Services for Ex-Prisoners, focusing on the barriers people face in finding affordable housing once they are released from prison. The issue of housing the special population of ex-prisoners infected with the HIV virus was also covered.

Patricia Carlisle, HUD Deputy Assistant Secretary for Special Needs, discussed the increasing need for affordable housing for ex-prisoners. She noted that the need was national—that "rural areas are not insulated from needing reentry housing."
(See HUD on p. 2)

POINT OF VIEW

by Sheila Crowley, President

Of all the things that HUD and PHAs could be working on to improve the well-being of low income people, reimposing the eight hour a month "community service" rule on public housing residents is not one of them. This ill-conceived remnant of the era of former Senator Lauch Faircloth (R-NC) and former Congressman Rick Lazio (R-NY) has been resurrected by the Bush Administration, which is now mandating that PHAs reestablish the "community service" requirement by October 31. Last year, HUD was prohibited from enforcing the provision from the 1998 public housing reform act by appropriations bill language that precluded PHAs from spending any money on its implementation. But HUD officials are anxious to get the "community service" requirement back in force and prevailed in the legislative fight to be able to do so.

The reasons why the community service requirement is a bad idea are numerous. From the perspective of a public housing administrator, enforcement of the requirement is complicated, burdensome, and costly, and there are no additional funds allocated for this purpose. From the perspective of a resident who is required to perform involuntary, unpaid labor, this can only be experienced as punitive. Platitudes about the uplifting nature of serving one's community are unconvincing; the intent is to use humiliation to extract additional payment for housing assistance. The proponents of this rule forget (or don't care) that public housing is not free, that today virtually everyone pays rent.

(See Point of View on p. 5)



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ing.” Reentry housing is housing developed solely to house people upon their release from prison.

Richard Cho, Program Officer with the Corporation for Supportive Housing, quoted statistics that 2 million people are incarcerated and more than 600,000 people are released from prison yearly. Mr. Cho attributed the increase in the prison population to the tough-on-crime policies implemented in recent years. He also noted that among the rising population of ex-prisoners, with a few exceptions, 50% of parolees are homeless. Many have reported that they have to go to homeless shelters to have housing. A webcast participant from the Washington D.C. area said he sometimes feels that the answer to being homeless is to return to jail.

Mr. Cho asserted that federal housing policy has exacerbated the current housing shortage for ex-prisoners, especially the denial of housing assistance to ex-offenders by PHAs. Although PHAs are not mandated to exclude ex-prisoners, most do. As a result, not only can ex-prisoners not obtain their own housing, but they are prohibited from moving in with family members who reside in public housing or hold a voucher. This policy contributes to recidivism and is anti-family.

There was a consensus throughout the webcast that housing is the key to success upon release from prison. “Housing is health care; housing is public safety,” Mr. Cho said. He recommended that housing be social workers’ first priority when doing discharge planning. One reason that housing is so important is that many who do not have housing cannot access other services. For example, the HIV-infected population needs housing to maintain a proper medicine regimen, because some medication requires refrigeration. Mr. Cho stressed the importance of linking services—such as health care, mental health services and job training—to housing.

In addition to federal housing policy, Mr. Cho explained other barriers for ex-prisoners to various types of housing. Affordability was cited as a barrier to market housing. For other types of supportive housing, lack of space and exclusion (some supportive housing may not accept ex-prisoners) were cited as barriers for ex-offenders.

Also participating in the webcast was Joanne Page of the Fortune Academy in New York, which provides housing to ex-prisoners. Ms. Page said that her clients are excluded from decent, affordable housing.

She noted the barriers that her clients face include NIMBYism (Not In My Back Yard) attitudes and lack of affordable housing.

Mr. Cho offered several recommendations for addressing the housing shortage among ex-prisoners, including having the criminal justice system fund the development of ex-prisoner housing. He also suggested that there must be more education to landlords and others about this population, and said there should be a removal of statutory barriers.

Representative Danny Davis (D-IL) has introduced legislation this Congress to address the growing housing needs for ex-prisoners. The legislation, H.R. 2166, the Public Safety Ex-Offender Self-Sufficiency Act, would create 100,000 units over the next five years.

Memorandum On New Occupancy Guide Handbook

HUD recently issued a memorandum addressing the implementation of its revised Occupancy Guide Handbook, Handbook 4350.3 Rev-1. The new handbook, issued on June 12, covers occupancy requirements for HUD-subsidized multifamily housing programs and procedures for households applying for or living in assisted housing. The memorandum explained that most policies in the handbook are now in effect, and outlined some of the changes in the new handbook.

Changes include requiring owners to start the recertification process of tenants 120 days prior to the anniversary date rather than 90 days. Another change to the recertification process is an increase in income limits that prompt an interim recertification from \$40 to \$200.

Owners are also now required to submit special claims of unpaid rent and tenant damages within 180 days of the event that causes the claim, as opposed to the year that was previously provided. (The new timeline for special claims does not apply to claims derived from events that occurred before August 31.)

Also included in the memorandum is an explanation of the changes to the affirmative fair housing marketing plan. Previously, PHAs were required to have an affirmative fair housing marketing plan, but there were no requirements to update the plan. The new handbook requires PHAs to update the plan every five years.

For cases in which a person receiving housing assistance dies but the unit continues to be occupied by a family member, the new handbook more clearly defines a remaining family member and what assistance the

(See HUD on p. 3)

Update from the Field IL Advocates Prepare for 2004

This week's Housing Road Trip shows the level of commitment of housing advocates in Illinois toward federal policy efforts. But in addition to their engagement with federal policy and budget issues, Illinois advocates are already preparing for the 2004 state legislative session.

The progress made during the 2003 session is serving as a platform for 2004. According to Tracy Ocomy, Housing Justice Organizer with the Illinois Statewide Housing Action Coalition (SHAC), an increased amount of housing legislation introduced in 2003 was attributable to the establishment of a dedicated Housing and Urban Development Committee in the Illinois legislature. The committee's birth was due, in part, to the efforts of Housing Justice Now, a broad coalition that serves as an umbrella for many housing advocates, including organizations such as SHAC and others.

According to Ms. Ocomy, SHAC has three major legislative priorities it is already pursuing in collaboration with other housing advocacy organizations for the 2004 session, all of which were introduced as legislation in the 2003 session but were not enacted. SHAC is seeking the establishment of a rental assistance program funded by a \$10 increase in the document recording fee. SHAC is also advocating for a statewide law making illegal discrimination in housing on the basis of the resident's source of income. This would prevent landlords from refusing to rent to tenants with Section 8 voucher assistance or Social Security Disability merely because they receive those federal income supports. A statewide landlord-tenant law is SHAC's third major legislative priority. Legislation to establish this law was referred to a subcommittee and remains viable. A hearing was held on the bill on August 11, and predictably, tenants spoke in favor of the legislative proposal and landlords spoke against it.

Housing advocates in the state are also planning to work on behalf of several other bills. They plan to advocate for legislation that would require the state to plan how it will use its housing resources and to establish a task force on housing; legislation to establish a tax incentive to encourage landlords in low-poverty areas to accept housing choice vouchers; and legislation to provide a right of first refusal to the tenants of federally assisted housing for the purchase of their building in the event of a prepayment or opt-out.

In speaking of the legislative efforts this year and last, Ms. Ocomy said, "It is very exciting to see housing finally become a priority and to have so much legislation introduced in the spring of 2003. Now we're working hard and gearing up for next year."

Capitol Hill Ending Long-term Homelessness Services Initiative

The Corporation for Supportive Housing (CSH), the National Alliance to End Homelessness (NAEH), and the National Alliance for the Mentally Ill (NAMI) have initiated a Housing Plus Services strategy for implementing the goal of ending long-term homelessness in 10 years called the Ending Long-term Homelessness Services Initiative (ELHSI). In addition to the \$10 million the Administration has already requested for HHS in FY04 for services to the "chronically homeless," ELHSI calls for \$30 million in additional HHS appropriations, specifically for housing-based services, to assist these individuals in obtaining and maintaining permanent housing.

CSH, NAEH and NAMI kicked off a grassroots campaign to raise Congressional support for ELHSI last April. Recently, after hearing from advocates about ELHSI, Representatives Donald Manzullo (R-IL), John Shimkus (R-IL), and Jim Ramstad (R-MN) wrote Representative Ralph Regula (R-OH), Chair of the House Appropriations Subcommittee for Labor and HHS, in support of ELHSI.

The subcommittee is expected to consider FY04 appropriations next month.

For more information, contact Phyllis Gilberti at NAEH (202-638-1526 x108 or pgilberti@naeh.org), or Buck Bagot at CSH (415-385-0389, buckb@devinegong.com.)

Bills at a Glance

Current information on legislation being tracked by NLIHC is available through NLIHC's new legislative action center, at <http://capwiz.com/nlihc/issues/bills/>.

HUD *(cont'd from p. 2)*

remaining family member may receive. This section especially helps those that administer Section 202 (Housing for the Elderly) properties.

The new requirement that all adult members of a household must be included on forms that determine eligibility and rent is also addressed in the memorandum. Previously, only the head of household had to fill out such forms.

The new handbook is available at www.hudclips.org or by calling 1-800-767-7468. Questions regarding the handbook should be emailed to HUD at Occupancy_Handbook_Comments@hud.gov.

Resources

The Criminalization of Homelessness in the United States

A new report by the National Coalition for the Homeless (NCH) documents how trends toward abuse of the civil rights of people experiencing homelessness nationwide coupled with funding cuts have made the situation for the homeless in this country especially dire. The report, "Illegal to Be Homeless: The Criminalization of Homelessness in the United States," also includes recommendations around which to organize for civil rights.

The report uses a survey filled out by groups working with people experiencing homelessness in 147 communities in 42 states, the District of Columbia, and Puerto Rico. It includes extensive anecdotal information of municipalities throughout the country on ways that homelessness is being criminalized. It also ranks the 'meanest cities' and 'meanest states' where those experiencing homelessness are especially discriminated against. Categories for these rankings include the existence and enforcement of anti-homeless laws, the general political climate toward the homeless, and support by the local activists or organizations for the 'meanest' designation.

There are numerous disturbing trends in regards to treatment of people experiencing homelessness. While scarce resources are being diverted away from programs assisting the homeless, the report finds that more effort is going into criminalizing homelessness. According to the press release on the report, almost 70% of the cities surveyed in an earlier, similar report have passed at least one or more new laws specifically targeting homeless people since January 2002. Quality of life laws that focus on activities that people without homes cannot attend to elsewhere especially target people who are homeless. Given the poor economy, the increasing criminalization of the homeless coupled with decreasing funds for shelter, health care, and other needs have led to a rapidly deteriorating situation for those experiencing homelessness.

Major recommendations include supporting the Bringing America Home Act, which includes provisions and funding for ending homelessness through additional housing, universal health care, livable income, treatment on demand, and civil rights assurances; educating people who are homeless and their advocates about their rights; monitoring local abuse and supporting local efforts; support for Department of Justice investigations to monitor civil rights violations against people who are homeless; and a combination of litigation with grassroots organizing.

The press release is available on NCH's website at www.nationalhomeless.org. For more information on the report, contact Michael Stoops at NCH at 202-737-6444 or via email at info@nationalhomeless.org.

Fact of the Week

Prohibiting Discrimination Against Voucher Holders

States and cities that prohibit discrimination against Section 8 housing voucher holders and the nature of the prohibition:

States

California – (lawful source of income)
 Connecticut – (lawful source of income)
 New Jersey – (lawful source of income)
 Massachusetts – (receipt of public assistance)
 Minnesota – (receipt of public assistance)
 Utah – (lawful source of income)
 Vermont – (receipt of public assistance)

Cities

Chicago – (lawful source of income)
 Corte Madera – (existing tenants)
 District of Columbia – (specific protection for section 8 voucher recipients)
 East Palo Alto – (lawful source of income)
 San Francisco – (lawful source of income)

Source: National Housing Law Project, "Protection Against Source of Income Discrimination for California Section 8 Participants," 2003. www.nhlp.org/html/sec8/protection_against_source_of_income.htm.

NLIHC Staff

Research Intern

NLIHC is seeking a research intern for the fall semester who is passionate about social justice issues and who has excellent writing and interpersonal skills. Detailed job description available at www.nlihc.org. Send a resume and cover letter to: Internship Coordinator, NLIHC
 1012 14th Street NW, Suite 610, Washington DC 20005
 or to info@nlihc.org. Questions? 202-662-1530 x228.

News & Events

Fannie Mae Foundation Conference

The Fannie Mae Foundation will hold its 2003 annual housing conference on Friday, October 17, 2003. The theme of the conference is Unleashing Assets: Strategies to Maximize Investment and Promote Local Development. More information is available at www.fanniemaefoundation.org.

Point of View *(cont'd from p. 1)*

The fact that the community service rule applies only to public housing residents and not to Section 8 residents, who are receiving the same level of housing assistance, substantiates the punitive intent. It is imposed only on public housing residents because they are the residents that public housing agencies can control, and public housing agencies are the landlords that Congress can control. This inequitable application of the requirement is for no reason other than public housing residents are more captive. The racial differentiation among public housing and Section 8 residents should be cause for concern.

Public housing residents who are working or elderly or disabled or in school are exempt from the rule. Who does that leave? Essentially stay-at-home parents, and of course, there is no child care provided. So the parent pays someone else to watch the children or leaves them home alone. Or we come to the absurd scenario of one parent leaving her children with a neighbor while she does her community service, and then taking caring of the neighbor's children while the neighbor does his own community service.

Human service professionals who work with low income people occasionally are faced with the dilemma

of enforcing externally imposed rules on their clients that both the professionals and the clients find objectionable and unethical. The professional has to decide what to do: refuse to carry out the rule and quit or get fired; capitulate and violate ethical standards, causing harm to the relationship with the client and thus the client; or join with the client in figuring out how to use the rule as an opportunity for empowerment. The third choice means telling the client that you disagree with what you are being told to do and why, and together devising a way to comply that minimizes the risk to the client and maximizes the potential for change.

So what should a public housing agency staff person do who is given the responsibility to carry out the community service requirement? I would organize the affected residents to do two things: form baby-sitting clubs and undertake voter registration drives in their communities. And challenge any attempt to define voter registration done by unpaid volunteers as anything other than valuable "community service."

Tell Your Friends...

NLIHC membership is the best way to stay informed about affordable housing issues, keep in touch with advocates around the country, and support NLIHC's work. Membership information is available at www.nlihc.org, or by fax, mail, or e-mail. Just e-mail membership@nlihc.org or call 202-662-1530 to request membership materials to distribute at meetings and conferences.

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About NLIHC: Established in 1974, the National Low Income Housing Coalition is dedicated solely to ending America's affordable housing crisis. NLIHC educates, organizes, and advocates to ensure decent, affordable housing within healthy neighborhoods for everyone. NLIHC provides up-to-date information, formulates policy, and educates the public on housing needs and the strategies for solutions.