

MEMO OF MEMBERS

The Weekly Newsletter of the National Low Income Housing Coalition

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Capitol Hill

Appropriations Roller Coaster Continues

The Senate managed to finish one more appropriations bill—Agriculture—on November 6. Now, it remains anyone's guess what route the four remaining FY04 appropriations bills—including VA-HUD—will take in the Senate, Hill sources report.

House and Senate leaders are signaling to appropriators that they should plan to wrap up the individual appropriations bills by the middle of the week of November 10, meaning that the VA-HUD bill could be considered as early as Monday. If legislative action on all remaining bills is not completed by mid-week, an omnibus bill that would include the unfinished appropriations bills is likely. In the case of an omnibus, House and Senate leaders have directed appropriators to finalize their work by November 18. This date would enable Congress to meet its targeted adjournment date of November 21.

The stumbling block on the VA-HUD bill continues to be the \$1.3 billion in additional spending that Appropriations Chairs Senator Ted Stevens (R-AK) and Representative Bill Young (R-FL) have promised Veterans for medical care. While original proposals would have designated the additional \$1.3 billion as emergency spending and therefore outside of the regular appropriations process, fiscal conservatives objected to this proposal because of budget implications. Instead, appropriators are looking at an across-the-board cut of other programs to offset the expenditure. If the cuts were applied within the VA-HUD bill only, the VA-HUD programs—including housing—would have to absorb the cuts. If the bill were considered as part of an omnibus bill, a larger number of programs would take a cut, meaning less of an impact on housing programs. The longer it takes appropriators to resolve the veterans' medical funding matter, the greater the chances are of the VA-HUD bill being wrapped into an omnibus bill.

(See Capitol Hill on p. 2)

In Washington

Housing Poll Results Show Challenges, Opportunities

Affordable housing faces a number of important challenges in today's political environment, according to two recent presentations given to Fannie Mae's Housing Impact Advisory Group meeting last week.

The first presentation, describing the results of a recent poll conducted for Fannie Mae, focused on the profile of affordable housing as an issue and the resonance of specific messages. The second presentation was a broader analysis by Celinda Lake, president of the Democratic consulting firm Lake, Snell, Perry and Associates, focusing on general attitudes toward the economy and government assistance as well as the specific issue of affordable housing.

In the October 2003 Fannie Mae poll of 508 adults nationwide, 38% of the respondents said they considered the lack of affordable housing a "big problem," a higher number than reported concern for issues including poor quality public schools, crime or a polluted environment. This put affordable housing on par with traffic congestion but below affordable health care (51%), living wage jobs (51%) and unemployment (44%).

(See In Washington on p. 5)

POINT OF VIEW

by Sheila Crowley, President

A criticism of HUD Secretary Mel Martinez that is heard all too frequently among D.C. housing advocates is his limited public visibility. The implication is that housing lacks a leader in the Bush Administration. Mr. Martinez's absence from the public and Congressional debate about housing is all the more glaring when compared to his predecessor, who for better or for worse, made sure that the housing problems of low income Americans at least got his President's attention.

To the extent that Mr. Martinez has been a spokesperson for housing, it is almost exclusively in regard to homeownership. Although he acknowledged early in his tenure that rental housing affordability is a problem for low income people in the United States, that concern fell by the wayside as he learned the parameters of what was permissible for him to do as a member of the Bush Administration.

Despite the Secretary's low profile in the United States, he made the papers in Russia last week. He was in St. Petersburg to meet with Russian housing officials and to set the stage for U.S. construction and mortgage companies to do business in Russia. According to *Tass* (November 3, 2003), Mr. Martinez and Russian Prime Minister Mikhail Kasyanov "discussed the implementation of Russian-U.S. projects in construction, social and municipal housing. They also exchanged experience on housing and communal management and agreed to train Russian specialists in order to undertake the construction of affordable housing projects in Russia."

(See Point of View on p. 7)



NATIONAL LOW INCOME
HOUSING COALITION

Capitol Hill *(cont'd from p. 1)*

Continuing Resolutions (CR) have kept the federal government operating since the FY03 ended September 30; the second CR expired on November 7. Both the House and Senate have passed CRs allowing the federal government to continue operating at FY03 levels until November 21. The President has indicated that he will sign the measure by November 7.

Senate Approves Rural Housing Funds For 2004

On November 6, the Senate passed S. 1427, a long-delayed FY04 appropriations bill for the Department of Agriculture. The bill includes housing programs under the Rural Housing Service (RHS). There were no surprises for rural housing, as the Housing Assistance Council reports that programs received the same funding levels they had in the Senate Appropriations bill in September.

The House version of the bill (H.R. 2673) passed in July and has similar numbers for most housing programs. If a conference committee moves quickly, the Agriculture spending bill may avoid inclusion in the omnibus wrap-up appropriations bill. Final agreement on this bill faces disputes over other non-housing issues such as country-of-origin food labeling and exports to Cuba.

For more details, including specific program funding levels, visit the Housing Assistance Council's web site at www.ruralhome.org or the National Rural Housing Coalition's at www.nrhweb.org.

House Holds Pred. Lending Hearing

The House Financial Services Committee held a joint hearing on November 5 titled "Protecting Homeowners: Preventing Abusive Lending While Preserving Access to Credit." The hearing consisted of two panels representing many mortgage lending stakeholders, including academics, government officials, mortgage brokers and advocates.

Most of the discussion at the hearing centered around whether the federal government should preempt states from enacting their own predatory lending laws. While advocates have worked at the state and local levels to pass stronger anti-predatory lending laws, many banking professionals say these laws are too restrictive and could ultimately destroy the subprime market. Subprime lending allows individuals with poor credit to obtain a mortgage loan at higher interest rates than those in the prime market.

Witnesses stressed the importance of distinguishing the subprime market from predatory lending. "Subprime

lending can be done without being predatory," said George Brown of Self-Help, a community development lender based in North Carolina that provides loans to 'low-wealth' families. Any reforms the government makes to combat predatory lending should not adversely affect the subprime market, witnesses said, since many low income people can access credit only through the subprime market.

There was a consensus throughout the hearing that some type of legislation is needed to combat unscrupulous lending practices. Representative Bob Ney (R-OH), Chair of the Financial Services Committee, has introduced H.R. 833, the Responsible Lending Act, which would combat predatory lending by establishing a consumer board and minimum standards for mortgage brokers. However, advocates are concerned this bill would serve to preempt stronger state and local laws. Committee Member David Scott (D-GA) has introduced H.R. 1865, the Prevention of Predatory Lending Through Education Act, which would provide grants to educate and provide counseling on predatory lending and establish a national toll-free number for consumers to use to file complaints of predatory lending practices.

Several Committee Members requested additional hearings to learn more about the various forms of predatory lending and the ways states have addressed the problem.

Bills at a Glance

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

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HUD

HUD May Recapture HOPE VI Funds

Five public housing authorities (PHAs) are in default of their HOPE VI grant agreements for failing to meet project deadlines and may face funding repercussions, HUD announced this week. Housing authorities in the District of Columbia; Detroit; Biloxi, MS; Tulsa, OK; and Wheeling, WV, have 90 days to get their developments back on schedule or risk having \$1,000 a day deducted from the amount of their grant.

HUD reports that many HOPE VI grantees are behind schedule, but said the grantees targeted for fines have missed 10 or more self-imposed deadlines. Michael Liu, Assistant HUD Secretary for the Office of Public and Indian Housing, said he hopes the action will send a message to other authorities about missed deadlines.

“Of the 193 total grants that have been awarded since 1993, only 22 developments are completed and more than half of the funding—\$3 billion—remains in the pipeline,” Mr. Liu said. “This step shows HUD is serious in its efforts to monitor this program and hold all HOPE VI grantees accountable for moving their developments forward.”

HOPE VI grantees may see more default notices in the future, as the FY04 Senate HUD-VA Appropriations bill includes language that would rescind funds awarded in 1997 or prior from developments that are not at least 90% complete and do not appear able to be completed within the next two years.

HUD’s press release is available at www.hud.gov/news/release.cfm?content=pr03-123.cfm.

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.

National Housing Trust Fund End-of-Year Push Scheduled

As the first session of the 107th Congress nears an end, members of the National Housing Trust Fund Campaign are planning activities to thank cosponsors of National Housing Trust Fund legislation in the House for their support, and to encourage Members of Congress who are not yet cosponsors to join the bill. Sponsoring organizations of the Campaign will send cosponsors a thank you letter and an update on the successes of the Campaign over the past few months. Across the country, endorsing organizations will participate in a call-in day on Wednesday, November 19, to House members who have not yet cosponsored encouraging their support of H.R. 1102. Endorsers are also encouraged to send letters to the editors of their local papers or take other actions to draw attention to the importance of a National Housing Trust Fund. Details will be forthcoming at www.nhtf.org.



In other news, Senator and Presidential Candidate John Kerry (D-MA), the sponsor of a Senate version of National Housing Trust Fund legislation (S. 1411), this week took part in a *Washington Post* online candidates’ forum, where he chose to answer a question on how he would address the nation’s affordable housing crisis. Senator Kerry referenced the National Housing Trust Fund, writing, “We desperately need to build more housing in this country. More working families in this country are homeless than ever before – it [is] unacceptable and we must provide incentives for low to middle income families that need our help.” The transcript is available at http://discuss.washingtonpost.com/wp-srv/zforum/03/sp_politics_kerry1103.htm.

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Update from the Field

Kentucky Advocates Collaborate

Kentucky housing advocates are hoping to expand their influence at the state level and boost the attention paid to long-term homelessness and the need for supportive housing. The Kentucky Council on Homeless Policy (CHP), through the Kentucky Housing Corporation, received a grant from the Corporation for Supportive Housing (CSH) to support its efforts to initiate systems change, use resources in a more comprehensive way and increase the supportive housing available for people experiencing long-term homelessness.

CHP recently hired a housing policy coordinator, Harry Carver, to implement a public education campaign about the need for additional supportive housing units in the state and the importance of state and local governments' involvement in this effort. The housing policy coordinator will also work to foster interagency collaboration in efforts to serve people experiencing long-term homelessness. Mr. Carver previously served as a special assistant to outgoing Governor Paul Patton (D), representing the Governor's Office on the Council.

Advocates are enthusiastic about the increased capacity that a housing policy coordinator will give CHP to reach out to the media and to the executive and legislative branches on the issue of long-term homelessness and supportive housing. "We are really excited that this will open up new conversations and will provide the opportunity to pull in new partners who have not been part of efforts to address homelessness before," said Judy Levey, executive director of the Homeless and Housing Coalition of Kentucky and a member of CHP.

CHP came together in late 2001, established by advocates and government agency officials concerned about the lack of sufficient supportive housing in the state. After members of CHP attended two policy academies on ending long-term homelessness by the federal government's Interagency Council on the Homeless, CHP determined that the state needed to improve and increase the delivery of housing and services to this vulnerable part of the homeless population. This decision was made in part because of the experiences of homelessness providers in places such as Louisville, where shelters are full and bottlenecked due to insufficient supportive housing units into which shelter clients can move.

CHP is made up of representatives of relevant state agencies and a member of the Kentucky State Legislature as well as service providers and advocates from around the state. The government agencies represented

(Continued next column)

News & Events

Homelessness Audio Conference

November's Leadership to End Homelessness Audio Conference on Preventing Homelessness Among Families will take place 3 pm to 4 pm ET on Thursday, November 13. Linda Gibbs, New York City's commissioner of homeless services, will share details about her city's innovative new prevention strategy that uses homeless services data to target increased intervention efforts within a specific number of communities. This call will be especially helpful for those communities who are planning to implement community-based prevention efforts in their plans to end homelessness.

The audio conference will include a brief presentation and a discussion period, in which questions will be accepted from participants. Those with Internet audio capability can participate in this conference call via the web free of charge. For complete information on how to listen to the call through the webcast and submit questions by email, visit www.endhomelessness.org/audio/webcast.htm. To participate by phone, register online at <http://c3.econfcalls.net/mrsrsvpform.jsp?refno=4279238> or call 1-800-403-3303 x212. The call will cost approximately \$30 and registration is required beforehand.

The Audio Conference Series is a monthly series of national calls sponsored by the Council of State Community Development Agencies, the National Alliance to End Homelessness, the National Council of State Housing Agencies, the National League of Cities and the U.S. Conference of Mayors.

Domestic Violence Teleconference

The National Resource Center on Domestic Violence (NRC DV) will host a teleconference on "Developing a Framework to Provide Transitional Housing for Survivors of Domestic Violence." Cris Sullivan University of Michigan and Debra Cain of the Michigan Domestic Violence Treatment and Prevention Board will discuss transitional housing policies and practices.

The teleconference will be held Thursday, December 11, from 2 pm to 3:30 pm ET. Registration is required. For additional information, call 1800-537-2238 no later than Monday, November 24.

(Continued from previous column)

on CHP include the Departments of Corrections, Mental Health and Mental Retardation, Education, Juvenile Justice, Veterans Affairs and others. The group has been meeting every six weeks.

For more information: Judy Levey, Homeless and Housing Coalition of Kentucky, 502-223-1834.

In Washington *(cont'd from p.1)*

The effects on children and families were most concerning of various potential consequences of high housing costs; 79% of respondents thought that “families spending so much on housing they can not save for retirement/education” was reason for concern. The idea that “hard work” should allow a person to have a decent affordable home was found similarly convincing.

The poll also concluded that Americans respond to facts about the impacts of high housing costs. The message with the greatest resonance was: “No parent in America working full time at minimum wage can afford a two-bedroom apartment at the ‘fair market rent’ without overburdening the rest of the family budget.” Fifty-nine percent of respondents felt this statement, the message of NLIHC’s *Out of Reach* report, was a “very big problem.”

Stagnant incomes and a lack of jobs were perceived to be the top causes of affordability problems, with more than 70% of respondents citing these causes. Concerns about demand driving up costs (55%), large or expensive homes replacing smaller affordable homes (51%) and other causes specifically related to the housing market and policy were cited less often.

Strikingly, only 30% of the respondents felt that a “great deal” could be done to solve housing affordability problems. And while the majority of respondents felt government should take a lead or supporting role in making housing affordable, they most often felt that local government should take the lead. “Home builders and developers” were seen as offering potential solutions more often than either state or national government.

Citing other recent polls and focus group results, Ms. Lake painted a similar picture: While important, affordable housing is not at the top of the national political agenda.

In searching for the reasons behind this, Ms. Lake found that affordable housing lacks a “compelling story.” All too often the story about housing is seen through the prism of income and other issues, she said. As an example, she noted that Barbara Ehrenreich’s book, *Nickled and Dimed*, moved the policy debate somewhat in Washington. A central, if not *the* central, problem in the book is how to afford housing, and yet the housing message did not resonate in the policy discussions the book generated. On this same theme, she noted that characters in TV sitcoms seem to struggle with everything but the rent or mortgage payment—they are always magically secure in their housing.

Ms. Lake noted that the two housing messages that do consistently resonate are ones involving Habitat for Humanity or people who are homeless, but she said that it is hard to get people to focus on housing problems beyond these issues. Indeed, unlike most of the issues she has worked on with focus groups, housing is one issue where the groups consistently have significant difficulty coming up with solutions. And the solutions they generate have to do with employment and nonprofit involvement, not government policy.

Another obstacle is that affordable housing has “no great friends and no great enemies.” Few groups or people with nationwide influence or appeal push the issue, and almost more importantly, there are no obvious villains to blame for the lack of affordable housing (such as HMOs and pharmaceutical companies are to health care issues).

Finally, there is no sense of “shared fate” when it comes to housing affordability. For reasons that are not entirely clear, people do not see the connection between their housing situation and that of others. Many people do not associate the housing problems of low income people with their own housing problems.

Both presentations offered suggestions on what needs to be done to raise the issue of housing on the national stage. Fannie Mae outlined three crucial steps:

- Educate audiences about the magnitude and the consequences of the problem;
- Provide a comfort level that this is a problem with workable answers; and
- Communicate benefits that are relevant beyond housing as shelter and speak to constituents’ self interest.

Ms. Lake presented a similar set of goals in somewhat more concrete terms. One important step is to look for ways to insert housing problems and solutions into the popular culture. She highlighted how a message transmitted by the TV show *Friends* had a greater impact for some of the issues she has worked on than multimillion dollar advertising and advocacy campaigns. Beyond this, she stressed the necessity of developing stories and highlighting two or three policy solutions with broad support, as opposed to the myriad of innovative programs currently highlighted by housing activists. And finally, it is necessary whether through popular culture or some other means to instill in people the notion of a “shared fate” when it comes to the problems of affordable housing. Until these goals are met, affordable housing will continue to be an important issue that isn’t.

Resources

Tax Policy as Housing Policy

The Brookings Institution has released a report Dr. Michael Stegman, Walter Davis, and Roberto Quercia of the University of North Carolina discussing the use of the Earned Income Tax Credit (EITC) as a tool to improve housing for lower income working households. "Tax Policy as Housing Policy" argues that the EITC can be a successful complement and supplement to current federal housing programs.

The report uses data from the American Housing Survey to look at the effects of the EITC on housing affordability for low income working families. The report then looks at a proposal in the 107th Congress by former Representative William Coyne (D-PA) to expand the EITC to childless workers and large families, which the authors find would help an additional 153,000 families to escape severe housing cost burdens.

The authors also put forth a new proposal to expand the benefits of the EITC to a larger proportion of lower income working households, which they estimate would relieve 510,000 families of severe housing cost burdens.

While the share of low and moderate income households with severe housing cost burdens has risen in recent years, funding for federal programs such as vouchers and housing production has not kept pace. However, assistance by way of the EITC has increased substantially. The authors argue that expansion of the EITC should not be used to take the place of current housing assistance programs, but given the daunting problems in regard to housing affordability in this country, it can be an effective way to increase housing affordability for lower income working households.

The report can be downloaded from the Brookings Institution website at www.brookings.edu/es/urban/publications/200310_Stegman.htm.

Household Food Security

The U.S. Department of Agriculture (USDA) has released a report updating figures on food security and hunger in the United States. "Household Food Security in the United States, 2002" looks at the results of a

survey that monitors food security, food insecurity, and hunger throughout the country.

Data comes from an annual USDA-sponsored survey supplement to the Current Population Survey conducted by the U.S. Census Bureau. This supplement is a representative sample of the civilian population that covers 50,000 households and asks 18 questions about food security, which the report defines as having access to enough food for active, healthy living.

The study finds that 11.1% (12.1 million) of U.S. households were food insecure in 2002, up from 10.7% in 2001. Of the 11.1% in 2002, just under one third had one or more family members hungry at some point during the year. The survey also finds that approximately one third of these food-insecure households had one or more members hungry at least once throughout the year, although the number of households with hunger on any given day was considerably lower (about 0.5% to 0.7% of all households had at least one hungry family member on any given day).

The prevalence of food insecurity varied among demographic lines: It was higher among households with incomes below the federal poverty line, headed by single women with children, African-American households, and Hispanic households. Food insecurity was also more prevalent in central cities and rural areas than in suburbs and in the South and West of the United States than in other regions.

The report can be downloaded from www.ers.usda.gov/publications/fanrr35/.

Fact of the Week

U.S. Households by Food Security Status, 2001-2002

	2002	2001
Food secure:	88.9%	89.3%
Food insecure without hunger:	7.6%	7.4%
Food insecure with hunger:	3.5%	3.3%

Source: U.S. Department of Agriculture (USDA), "Household Food Security in the United States, 2002" www.ers.usda.gov/publications/fanrr35/.

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

tion of multi-story residential buildings.” St. Petersburg Governor Valentina Matvienko, as reported by *Pravda* on November 4, 2003, is pleased that the U.S. will be helping St. Petersburg with housing for low income people and mortgage crediting. What’s more, according to a November 6, 2003 article in the *St. Petersburg Times* by Denis Maternovsky, Mr. Martinez told reporters that the U.S. Congress might appropriate \$20 million to help bring mortgage programs to Russia.

You won’t find any report of the Secretary’s international housing travels on the HUD website. (There is a photo of Mr. Martinez and his Russian counterpart Nicolay Koshman signing an MOU on September 22.) You won’t find reports of the trip to Russia in the U.S. media either. Thanks go to Wayne Sherwood who monitors the Secretary’s travels via various internet search engines for surfacing Mr. Martinez’s trip to Russia last week. It does help us keep up with what the Secretary is up to.

Now let’s find where the \$20 million for the Russian housing program is in the federal budget.

NLIHC Interns

NLIHC is seeking legislative, outreach and research interns for the spring semester who are passionate about social justice issues and who have excellent writing and interpersonal skills.

Details are 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.

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Each year customers of the Working Assets phone company vote on how a share of the company’s profits should be distributed. This year, NLIHC is one of 50 groups in the running for a share of the funds. There are three easy ways to vote for NLIHC: fill out the ballot that Working Assets includes in your phone bill; vote online at www.workingassets.com/voting; or call the voter hotline at 1800-920-VOTE. Voting ends December 31. Thanks for participating!



National Low Income Housing Coalition
Memo to Members
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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.

The NIMBY Report

*on the continuing struggle
for inclusive communities*

National Low Income Housing Coalition

November 2003

INDIANA

Opposition to Affordable Housing Thought to be Racially Tinged

Despite their proximity to Chicago and Gary, Indiana's northwest counties and towns have remained predominantly white. That homogeneity has brought a certain "pull up the drawbridges" mentality in this formerly agrarian region, reflecting worries that affordable housing will bring racial integration.

While phrased with a thin veneer of concern about traffic and property values, nonprofit and religious leaders easily detect an underlying anxiety about African-American families moving into these communities. When St. Mary Church in the town of Griffith (pop. 17,000) proposed to build a 60-unit independent living apartment complex for the parish's aging population, neighbors bristled and children asked questions. According to Reverend Theodore Mens, some school children asked their teachers, "Why is Father Mens building a home to let the blacks in?" Rev. Mens said he is certain that while these words are from the mouths of babes, they reflect concerns the children are hearing from their parents. The local newspaper reported that Mens "encountered racism that he was stunned to discover festering in his quiet community." He received anxious letters and e-mails from the town folk expressing fears about who might be their new neighbors. After a public hearing on the development, which featured dozens of angry condemnations of Mens and the church, the zoning board voted the project down without explanation.

Other observers agree that there is an "unspoken racism" at work in a region that has felt strong development pressure in the last decade. A few miles down the road from Griffith, St. John councilman and plan commission president Jerry Rudy believes that opposition to multifamily housing projects is a pretext for discrimination against African-American families. "Sometimes people speak from fears," he told the *Northwest Indiana Times*. "They claim they are afraid of crime. They claim that they attract unsavory people. I wonder sometimes if some people are trying to escape an issue of ethnicity and race. Perhaps there is something else behind it in their minds....I brought (racism) up at a meeting once. The whole room hushed. No one wants to say that it could be racial."

As with most instances of community opposition, many of the concerns expressed in public revolve around property values, safety and the impact on schools. Some local politicians in Highland, expressing a preference for homeownership and suggesting that renters lack the pride necessary to ensure good upkeep of

their units, have proposed a moratorium on new multifamily housing construction. While the proposal's future (and its legality) are questionable, there is no doubt that the atmosphere is slowly being poisoned for new affordable housing development. The *Times* reports that no fewer than four new multifamily projects have been stalled, withdrawn or defeated during the last year in northwest Indiana because of community opposition.

For more information: Rev. Theodore Mens, Pastor, St. Mary Church. Telephone: 219-924-4163. E-mail: stmary@netnitco.net. Jerry Rudy, Town Councilman, St. John, Indiana. Telephone: 219-365-6038.

MARYLAND

Neighbors (& Elected Official) Make it Clear They Do Not Want Transitional Housing

Homelessness in small towns has traditionally taken on a different character than its urban counterpart. Smaller numbers and a greater sense of responsibility to help local folks down on their luck have made the small town response generally more compassionate. But as cities stretch out and convert independent hamlets into bedroom communities, the extent of and response to homelessness has changed. Such is the case in Harford County, MD, a formerly rural county located about halfway between Baltimore and Wilmington, DE.

During 2002, county agencies served 772 people who did not have a permanent place to live. Despite funding emergency winter shelters, however, there is still no year-round place where homeless individuals can dependably find shelter. Moved by the pressing need, Faith Communities and Civic Agencies United, a four-year old coalition of churches, nonprofits and government agencies, took matters into its own hands and set about to purchase property to increase the amount of shelter and transitional housing units. Its first effort—the building of a permanent shelter in Joppa—was foiled by neighborhood opponents and state delegates representing the area. After consulting state and local zoning laws, which permit homes of eight or fewer people with disabilities without the need for public hearings and zoning approvals, the group purchased a single-family home in the Abingdon area and proposed to operate transitional housing for eight formerly homeless men.

No sooner did they learn of the plans than neighbors, including

State Senator Nancy Jacobs (R) objected, claiming they were not notified in advance of the plan and that they feared the consequences for their neighborhood. Ms. Jacobs issued a news release on October 21, 2003, on her official letterhead, detailing the grounds of opposition and advertising a public meeting on October 23. "We have tried to work with [Faith Communities and Civic Agencies United] to find more appropriate venues for such a facility," she wrote. "Unfortunately, [they are] going forward with plans to move homeless persons into this neighborhood of single-family homes, filled with children and vulnerable senior citizens."

On November 4, the newly-formed Long Bar Harbor Community Organization appeared before the County Council and presented a "neighborhood position paper," calling on the council to rethink its provision of shelter and to prohibit the placement of shelter or transitional housing in residential neighborhoods. Saying "[w]e do not believe that established communities need to be disrupted or destabilized to serve the needs of the homeless," the group advocated for a "separate dedicated facility." Feeling that it had wrongly been labeled as a NIMBY group, the statement concluded: "And as a group we have been labeled as suffering from the 'Not in my neighborhood' syndrome. Wrong. Our position is 'Not in ANY neighborhood.'" (Long Bar Harbor Community Organization website, at <http://www.lbhco.org>, last viewed November 6, 2003).

Proponents of the transitional housing project do not doubt that the county could take a more coordinated and comprehensive approach to homelessness, but note that something needs to be done immediately, as winter is right around the corner. "Our winter shelter does not have the capacity to house everyone who needs it," says Pat Eiler, a longtime volunteer with the nonprofit group. After the Joppa project was defeated, "the only method we could come up with to save the funding that we had was to buy a couple of houses."

The non-profit group has consulted lawyers to determine whether neighbors or county officials may be violating the Fair Housing Act or the Americans with Disabilities Act. Beth Pepper, a Baltimore-based civil rights lawyer, recently was retained to help the organization analyze its rights and the county's obligation under these laws.

For more information: Beth Pepper, Esquire. Telephone: 410/752-2744. E-mail: bethpepper@aol.com. Pat Eiler, Faith Communities and Civic Agencies United. Telephone: 410/676-2018.

SHORT ITEMS

Massachusetts Legislature Considers Bill to Weaken "Anti-Snob Zoning" Law

The modern trend toward inclusionary zoning and "fair share" affordable housing plans began in Massachusetts in 1969, with the adoption of Chapter 40B of the state code, the so-called Anti-Snob Zoning law. (See "From NIMBY to YIMBY: How to

Get (and Keep) the Government on Your Side in Zoning and Land Use Matters," *The NIMBY Report*, No. 1, 2003 Semi-Annual Edition, soon available at www.nlihc.org/nimby/index.htm for a brief history of the law). Now, the state legislature's House Ways and Means Committee is considering compromise legislation that would loosen the affordable housing targets in the state's fair share allocation. The affordable housing advocacy community has endorsed the compromise drafted by the Joint Committee on Housing and Urban Development, which allows more generous counting rules, but opposes other weakening amendments, including the counting of Section 8 tenant-based vouchers and mobile homes. A *Boston Globe* editorial on October 27, 2003, suggests that advocates have "signed on for fear that 40B, which has provided 20,000 inexpensive homes since the early 1970s, might otherwise be repealed." The *Globe* editorial concludes: "Big cities with large numbers of subsidized apartments easily meet the 10% affordability requirement. But legislators should ask themselves why some smaller communities, such as Burlington, Raynham, Westborough, and Amherst, meet the affordability goal while nearby communities are dragged kicking to the table. Often the difference is principled leadership and the ability to see newcomers as assets to a community, not as automatic drains on schools and other municipal services." For more information: Aaron Gornstein, Executive Director, Citizens Housing and Planning Association. Telephone: 617/742-0820.

Napa County (CA) Pays Cities to Assume Affordable Housing Burden

Earlier this year, the California Department of Housing and Community Development determined that Napa County was not meeting its state-mandated affordable housing goal, and threatened to withhold funds and state approvals the county needed. In October, the county responded by entering into a controversial agreement to pay the cities of Napa and American Canyon to meet the county's obligation. Napa will accept responsibility for 664 of the county's required low and moderate income housing units in return for a county payment of \$1 million for parks, roads and sidewalks and \$4 million in land and money for a parking garage next to the county's Administration Building. Starting in 2006, Napa would receive a yearly payment for each unit of housing built inside the city for which the county gets credit to defray the cost of service to those homes. American Canyon secured the right to annex additional, unincorporated land from the county and a promise of more county services in exchange for taking responsibility for providing 394 of the county's affordable housing units. For more information: Mark Joseph, City Manager, City of American Canyon. Telephone: 707/647-4352.

Thanks to Michael Allen of the Building Better Communities Network (BBCN) for writing *The NIMBY Report*. More information about BBCN is available from its website, at www.bettercommunities.org. Suggestions for articles for *The NIMBY Report* can be sent to Michaela@bazelon.org.