

MEMO OF MEMBERS

The Weekly Newsletter of the National Low Income Housing Coalition

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Housing in the Election

COHHIO in the National Spotlight

Ohio is living up to its title of “battleground state” in the final days leading up to the presidential election. Nearly every day since the voter registration deadline on October 4 there have been news reports about the potential for election day mishaps in the state.

The issues being debated across the state – the use of provisional ballots; the proper paper weight that a registration must have been submitted on; whether or not a registration can be thrown out if the registrant failed to enter an identifier; registration fraud; and huge numbers of “challengers” who will be placed in the polling booths to challenge the qualifications of voters – are likely to have the most negative impact on first time voters who are expected to be mostly low income and minority voters.

While the two parties and campaigns are busy trying to make the other look more guilty, the Coalition on Homelessness and Housing in Ohio (COHHIO) and their nonpartisan 501(c)(3) partners in the Ohio Voterization Project (OVP) are worried that those who will be most effected by the bickering are the very people they have spent the last six months registering and educating. For this reason the homeless and affordable housing advocates who are part of the OVP are staying above the partisan fray and doing everything in their power to get their clients, residents and consumers to the polls on Election Day and protect them from disenfranchisement once they get there.

(See Election on p. 3)

Capitol Hill

Congressional Recess

Both the House and Senate have adjourned and will return November 15. Advocates will use the time that Members of Congress are campaigning in their home districts to raise housing issues with them.

Senator Seeks Removal of Anti-Voter Section

Senator Maria Cantwell (D-WA) has requested that Section 224, which prohibits housing authorities from using federal funds for a variety of voter registration and other voting activities, be stricken from the Senate appropriations bill (S. 2825) for VA-HUD-IA. In an October 21 letter to Senate VA-HUD Appropriations Subcommittee Chair Christopher Bond (R-MO) and Ranking Member Barbara Mikulski (D-MD), Senator Cantwell states that partisan politicking by housing authorities is already illegal because of the Hatch Act and that many federal programs provide voter registration materials to citizens. Ms. Cantwell further points out that many housing authorities maintain polling places in their buildings and “this language could be interpreted so as to have dramatic effects on

(See Capitol Hill on p. 2)

POINT OF VIEW

by Sheila Crowley, President

It is a quirk of our political system that the campaign messages one is exposed to are a function of the media market in which one is located. I am in California this week. Here, visitors from Mars would be hard pressed to know the country is in the midst of an election for President. Californians are bombarded instead with commercials for and against a dizzying array of ballot initiatives, known as propositions, each with its own number. Fortunately, voters also receive a handy guide to propositions that describe their intent and provide pro and con arguments.

One proposition that polling shows two-thirds of California voters support is Proposition 63, which would provide \$800 million a year to fund a “comprehensive system of mental health care” in the state, including community based housing for people with serious mental illness (www.yeson63.org). California Assembly-member Darrell Steinberg, the brains behind Prop. 63, received an award from the California Coalition on Rural Housing at its annual conference this week for advocacy and achievements on behalf of low income people during his about to be term-limited tenure in the state legislature.

Mr. Steinberg is to be commended for promising to make good on the state’s 40 year old promise to assure community-based care for all people with mental illness, but his method of funding the plan is perhaps the most interesting provision of Prop. 63.

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NATIONAL LOW INCOME
HOUSING COALITION

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

individuals' ability to access a convenient polling place." Ms. Cantwell describes Section 224 as "problematic and overly broad, effectively prohibiting housing authorities from doing what any other agency receiving federal funds is able to do." Congress will take up the VA-HUD-IA and other unfinished appropriations bills when it reconvenes after the election.

Release of Report on OFHEO Requested

Representative Barney Frank (D-MA), the ranking member of the House Financial Services Committee, has requested that HUD immediately release a report on the Office of Federal Housing and Enterprise Oversight (OFHEO) conducted by the Office of the Inspector General (OIG). In a letter to HUD Inspector General Kenneth Donohue, Mr. Frank expressed concern that the report concerning alleged leaks by OFHEO may have been selectively shared with a number of members of Congress.

The letter urges that if the OIG report finds that OFHEO did something wrong then these findings need to be made public. Mr. Frank argues that if there are Privacy Act concerns or other legal impediments to releasing the report, that they be addressed and the report made public.

New Legislation: A New Member of the FHA Family?

The Federal Housing Administration would oversee a new "Kiddie Mac" program under legislation introduced by Representative Carolyn Maloney (D-NY).

The Children's Development Commission Act (H.R. 5265) would set up a commission led by HUD, with input from the Departments of Treasury and Health and Human Services. The bill would allow the FHA to insure mortgages for the construction, rehabilitation, and furnishing of childcare centers if at least 20% of children served by the center come from families earning less than the Area Median Income. The legislation provides special increases for facilities built in distressed areas or with energy-conserving designs. H.R. 5265 has been referred to the House Committee on Financial Services.

Bills At a Glance

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

SPECIAL REPORT VOUCHER FUNDING CRISIS WEEK 27

The turmoil caused by the FY04 funding mechanism for the Section 8 voucher program implemented by HUD in its April 22 notice (see *Memo*, April 23) continues to be felt around the country.

Mayor Bloomberg Voices Concern

At the Enterprise Foundation conference in New York City the week of October 11, Mayor Michael Bloomberg announced that Enterprise has pledged to attract \$1 billion for investments in low income housing. This initiative, which also includes pledges from investors such as J.P Morgan Chase, Citigroup and Fannie Mae, could produce 15,000 units for families with incomes below 50% of the area median income, and contributes to Mayor Bloomberg's plan to build or renovate 65,000 units of housing for low income families.

However, the mayor cautioned that recent federal funding decisions could undermine the success of these investments. As quoted in the *New York Times*, Mayor Bloomberg said, "[w]e need Congress and the president to stand by their commitment to the lowest-income Americans by fully funding the Section 8 program."

New York City has one of the biggest voucher programs with more than 110,000 vouchers. After appealing its allocation for FY04, the city had \$52 million in proposed Section 8 cuts restored. At the same time, city officials announced that as a result of the shortage of Section 8 voucher funding, families in shelters will no longer be permitted to apply for Section 8 vouchers, ending policy the city has had in place for ten years and used effectively to get homeless families into permanent housing.

A new program is being developed by the city that would use city, state and federal funds to provide up to five years of grant assistance for families in shelters who will no longer be permitted to apply for vouchers. According to the mayor's Washington office, the federal funds would come from the block grant money New York receives for the Temporary Assistance for Needy Families (TANF) program. Linda I. Gibbs, the city's commissioner of homeless services, reports that this new program is being developed because Section 8 funds are shrinking and the city must find an alternative. The state has not, as yet, signed on to the program.

(See Voucher Crisis on p. 3)

Voucher Crisis *(cont'd from p. 2)*

Rents to be Raised on Poorest Residents

The Chattanooga Tennessee Housing Authority (CHA) is seeking permission from HUD to double the minimum rent for Section 8 residents, a move that CHA officials say was suggested by HUD. If approved, more than 600 families will see their rents increase from \$25 to \$50 a month, although CHA says it would waive rent increases for hardship cases on an individual basis. Bob Dull, CHA's deputy director of asset management, reports that the money collected from increased rents will help offset the rising cost of housing in the area.

Election *(cont'd from p. 1)*

Because of his nonpartisan work in this extremely partisan atmosphere, COHHIO director and NLIHC Board Chairman Bill Faith was invited on to CNN's Paula Zahn show to discuss the implications of the voter suppression tactics on OVP's clients.

"More than 600,000 people have registered to vote in Ohio this year, this should be cause for celebration. Instead, we see numerous attempts to suppress the vote. This is nothing more than a dressed up poll tax. Our fear is that people who have finally decided to participate in our democratic process will be discouraged or turned away," Faith said

"There are two concerns we have about the challengers in the polling places," said Mr. Faith. "First, that the challengers will frighten or discourage the voters from even trying to cast their ballot, and second, that the challengers will hold the lines up and many voters will have to return to work, or pick their children up before they ever make it to the polling booth," he said.

The OVP has a plan in place to help address some of the issues being raised. Last week it sent a mailing to registered voters in six of the largest counties telling them when and where to vote and providing them with an Election Protection Hotline number to call if they experienced problems at the polls. OVP has also done a massive door to door campaign in those six counties with literature describing the issues that are important in this election and including the Election Protection Hotline. OVP has distributed more than 1 million pieces of literature across the state to help get out the vote and protect voting rights.

OVP is also launching a radio advertising campaign and public relations effort in the final days before the election to help get out the vote and provide important voter protection information, especially to African American and low income voters

Perhaps OVP's largest effort to combat the potential problems is the Election Protection Poll Monitors they are recruiting to stand at the polls on Election Day to protect voters from disenfranchisement. One of the major pieces of information the poll monitors will be providing to voters is that they are only subject to a challenge for four reasons: if they are not a U.S. citizen; if they are not of voting age; if they do not live in the county in which they are registered; and if they have not lived in the state for the previous 30 days.

The poll monitors will also hand each voter a Voter's Bill of Rights designed to inform them of their rights while voting. They will also have access to an attorney who is trained to handle any legal issues that might occur at the polling location.

Online Compendium of Voter Resources

The Leadership Conference on Civil Rights (LCCR) and the Leadership Conference on Civil Rights Education Fund (LCCREF) have launched a new online resource for voters. The "One-Stop Shop for Voters" is a compendium of online resources that help voters to verify voter registration status, understand voting rights, find polling place and hours of operation, and more. The website also offers a list of actions that voters can take to help protect voting rights this November 2, and encourages concerned voters to volunteer as a poll monitor with the non-partisan Election Protection Coalition. The website is at: <https://secure2.convio.net/lccr/site/Advocacy?JServSessionIdr008=m1yv3w9e1.app&cid=219>

HUD

HUD Clarifies Domestic Violence Shelter Guidelines

After receiving comments from advocates, HUD has reinstated provisions that protect the confidentiality of domestic violence victims.

Domestic violence shelters provide services that would ordinarily require them to file information with the Homeless Management Information Service (HMIS), a HUD-mandated tracking system that collects information about people who are homeless, and allows it to be shared among service providers. In recognition of the security needs of victims of domestic violence, the original HMIS standards issued in July 2003 allowed domestic violence service providers to provide coded or non-identifying information about their clients.

HUD rules released in July 2004 removed this exemption, and were met with strong opposition from domestic violence and other advocates. A new HUD directive (FR-4848-N-03) allows domestic violence shelters to encrypt identifying data and exempts them from the deadlines for implementing HMIS that other service providers face. The guidelines also provide increased technical assistance for domestic violence service providers and recognition that state confidentiality laws can supercede the HUD guidelines on this issue when state law is more stringent.

National Housing Trust Fund Campaign

NHTF Gains Major Editorial Endorsement

Giving a big boost to the National Housing Trust Fund Campaign, the *New York Times* editorial page issued a new endorsement of the National Housing Trust Fund.

In an editorial titled "The War on Affordable Housing," the *New York Times* sharply criticized the current attacks on the Section 8 Voucher system and affordable housing, and called for the establishment of a National Housing Trust Fund. (The editorial can be found at www.nytimes.com/2004/10/16/opinion/16sat1.html?oref=login, and requires a free registration to view.)

The editorial discusses the recent bi-partisan platform laid out by former HUD Secretaries Jack Kemp and

Henry Cisneros, which endorses the creation of a trust fund to "to insulate the housing program from partisan sniping." Solidifying the endorsement, the editorial concludes "...given the national housing crisis, it makes good sense to direct money earned from housing back into housing. The bill would certainly have wide support, if only the Republican leadership allowed it to be brought to the floor."

Update from the Field

Alabama: The Ongoing Struggle for Tenant Protection Legislation

Currently, Alabama and Arkansas are the only two states in the United States without tenant protection legislation outlining the rights and responsibilities of landlords and tenants. Housing advocates have endeavored to pass such laws, but have had little success in winning the support of legislators.

Renters comprise 27.5% of Alabama residents, but a study released by the Center for Public Integrity in September 2004 found that 60% of the Alabama legislature has connections to the real estate industry, including that 41% of legislators are landlords and 17% work in real estate. There is also a great deal of political funding provided to Alabama politicians by the real estate industry.

Alabama Arise is working with the Government Affairs office of the Alabama Realtors' Association on compromise legislation for the legislature to consider when it reconvenes in February. Advocates acknowledge that any tenant protection legislation will require compromise from both sides, but adamantly insist that some items are non-negotiable, such as a Separation of Habitability and Rent, and a Repair and Deduct provision.

Without a Separation of Habitability and Rent, once a lease is signed the tenant must pay the amount of rent indicated in the lease independent of anything that may happen to the property during the time of residence. A Repair and Deduct provision would give landlords fourteen days to respond to a written maintenance request. If they fail to respond, the tenant would then have the right to make their own repairs up to the amount of half of one month's rent. With proper receipts provided to the landlord, those expenditures would then be deducted from the next month's rent.

(See **Field** on p. 5)

Field *(Cont. from p. 4)*

“We have invested so much in this and we are trying to be optimistic. Tenant protection legislation is very important. We will definitely be back with another bill in February,” says Ron Gilbert of Alabama Arise. “Success can be measured in many different ways. For us, success is not only that we keep fighting for tenant protection, but it also is that we have kept Realtors from passing their bills, which are quite harsh against tenants. And that is important because even if we can’t take steps forward, we are making sure we definitely don’t take any steps back.”

For more information please contact Ron Gilbert, Housing Policy Analyst of Alabama Arise, ron@alarise.org or (334) 832-9060.

Events

Alliance for Justice Web Training on Lobbying

On Thursday, October 28 at 2 p.m. EDT the Alliance for Justice (AFJ) will hold a one-hour web-based training covering the rules for 501(c)(3) lobbying activity, including lobbying limits, definitions of lobbying, and some notable lobbying exceptions. Participants will need a computer with Internet access and working computer speakers in order to participate. Cost is \$30, or free to AFJ members. Register with Robin Powers at rpowers@afj.org or 202/822-6070, or online at: www.afj.org/nonprofit/workshops_events

Neighborhood Institutions as Agents for Community Change

The National Neighborhood Coalition will host a dialogue among leaders of neighborhood institutions with an activist edge as part of its Community Engagement Forum Series. The forum, Neighborhood Institutions as Agents for Community Change, will explore the strategies and experiences of neighborhood institutions and residents who are developing a voice, building power, and influencing positive change. The forum will be held Thursday, October 28, 2:00-4:30 PM at the Bank of America, 730 Fifteenth Street, NW, Washington, DC. RSVP to Leah Kalinosky at leah@neighborhoodcoalition.org or call 202-429-0790. This event is free.

Resources

What Would Your Dream Community Look Like?

The results of a national survey commissioned by Smart Growth America and the National Association of Realtors were released this week. The survey asked for respondents’ ideas of the ideal community, perceptions of their current communities, and ideas for policies to get to their ideal. The survey took place from August 26 to September 6, 2004, and included a random polling of 1,130 adults.

A key finding in the “dream community” portion of the survey was a desire for generational and ethnic diversity. Sixty-five percent of respondents indicated a desire to live in a community with “people at all stages of life,” and 47% wanted a community with mixed races and ethnicities. Forty-five percent indicated that they’d like to live in a community with varying income levels, while only 38% wanted a place with different kinds of housing.

Respondents offered a laundry list of things lacking in their current communities. The top complaint was a need for housing for low income people, mentioned by 49% of those surveyed. Other observations included a lack of close public transportation (46%), a lack of places to bike (46%), and a lack of shops or restaurants within walking distance (42%). Forty percent of respondents said that there is too much housing for people with high incomes, and 32% argued that too many houses and apartments were being constructed.

In the last segment of the survey, concerning policy, most respondents (86%) found it important to improve current neighborhoods before creating new ones. Of the priorities respondents found most important, low and moderate income housing was first, at 57%. They were also concerned with the development of the countryside, with 46% prioritizing the slowing of development. Forty-four percent desired the revitalization of cities, and 37% wanted to revitalize older suburbs.

The survey was conducted by the research firm of Belden, Russonello & Stewart. The full report is available at: www.brspoll.com/Reports/Smart Growth.pdf

(See Resources on p. 6)

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Resources *(Cont. from p. 5)*

New Residential Construction Report Published

The Census Bureau and HUD have released "New Residential Construction in September 2004," a report outlining building permits, housing starts, and housing completions for the month of September.

Although single-family construction saw only slight increases and some decreases (including an 8.2% decrease in housing starts), multifamily housing saw an upsurge in all but one category. Building permits for multifamily housing soared to an estimated rate of 358,000 units, and housing starts climbed to a rate of 328,000. Multifamily housing completions declined, to an estimated rate of 229,000 units.

To view this report, visit: www.census.gov/indicator/www/newresconst.pdf.

Suburban and Urban Economic Equality: A Growing Gap?

The Brookings Institution has published a new analysis of Census 2000 data in the report, "Pulling Apart: Economic Segregation among Suburbs and Central Cities in Major Metropolitan Areas," by Todd Swanstrom, Colleen Casey, Robert Flack, and Peter Dreier. The report compares and contrasts levels of

income and economic inequality between central cities and suburbs in 50 metropolitan areas.

Researchers examined data from the 1980-2000 Censuses, with an emphasis on changes between 1990 and 2000. They found that overall the per capita income gap between central city and suburban households remained the same in the 1990s, after having grown in previous decades, although isolated regions and cities did experience shifts. The authors also found that the number of both poor and affluent suburbs is increasing, and that economic inequality in the suburbs increased during the 1990s, though not as quickly as it had in the 1980s.

Taking these findings into consideration, the authors ask policymakers to consider and mend economic segregation issues such as suburban exclusion and the limited access to public goods.

Although this analysis considers a variety of issues, it also leaves out important factors in economic segregation such as housing and housing affordability. Housing is mentioned only briefly in the methodology portion of the report, however housing cost and the mix of unit sizes and tenure options have a significant influence on where families decide to live and add to the economic segregation between city and suburban dwellers. To view this report, go to: www.brookings.edu/metro/pubs/20041018_econsegregation.pdf

Fact of the Week

Multifamily Building Shows Increase

Percent change in national housing starts from August 2004-September 2004

	<u>New Housing Permits</u>	<u>Housing Starts</u>	<u>Housing Completion</u>
Total	+1.8%	-6.1%	-6.2%
Single-family units	+0.1%	-8.2%	+0.1%
Multi-family units	+8.2%	+20.1%	-33.8%

Source: *New Residential Construction in September 2004 report*, www.census.gov/indicator/www/newresconst.pdf

NLIHC News

Save the Date! NLIHC Annual Conference

NLIHC's 2005 Annual Housing Policy Conference and Lobby Day will be held Monday and Tuesday, May 2 and 3, at the Capital Hilton in Washington, DC. The Leadership Reception will be held the evening of May 3. Mark your calendar and plan to join us!

Point of View *(Continued from Page 1)*

Prop. 63 calls for a 1% surcharge on personal income above \$1 million, a "millionaires' tax." Mr. Steinberg readily acknowledges that this kind of dedicated revenue source to pay for necessary government services is not his preferred approach to governing. But in an era when a rational, progressive system of taxation is not politically feasible, this is an idea that is attractive to voters.

Federal policy makers should not interpret Prop. 63 to mean that Californians will fully self-fund their mental health system, absolving Congress and the Administration of their responsibility. Prop. 63 is intended to expand the resources that California can use to leverage more federal funding, including federal housing dollars. Prop. 63 is not about devolution; it is about partnership. No matter how unique each state's style of governing and taxation is, it is still the federal engine that makes the country run.

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. Information is available at www.nlihc.org.

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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.

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