

MEMO OF MEMBERS

The Weekly Newsletter of the National Low Income Housing Coalition

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Housing in the Election

VREM Efforts Got Out The Vote

When the polls closed on Election Day 2004 the only thing that everyone could agree on was that voter turnout was up. While the NLIHC VREM campaign certainly can not take credit for mobilizing all of the additional ten million new voters, the organizations around the country that spent time and effort registering, educating and mobilizing their clients are at least partially responsible.

Although reports are still coming in from VREM members all over the country, a sample of the work done by various organizations provides a preliminary look at the impact the low income and homeless voter registration efforts had on the increased turnout nationwide.

(See Elections on p. 2)

Capitol Hill

Leadership and Committee Changes for 109th Congress

With the defeat of Senate Minority Leader Tom Daschle, (D- SD), Senate Democrats will need to select a new slate of leaders for the next Congress. Senator Harry Reid (D-NV) is currently expected to move up to the leader position in a caucus vote that will take place after Congress returns on November 16. Senator Richard Durbin (D-IL) is expected to take on the position of minority whip that Senator Reid will vacate.

While the Senate in the 108th Congress will have 55 Republicans, 44 Democrats and 1 Independent, neither party can claim the 60 votes needed to overcome a filibuster. Republicans will enjoy more committee seats with the 55-44 split. Sen-

(See Capitol Hill on p. 3)

New From NLIHC

Changing Priorities: The Federal Budget and Housing Assistance, 1976-2005

A new report from NLIHC that analyzes federal housing subsidies from 1979 through 2005 is online at www.nlihc.org. Using graphs and tables, the report shows trends in federal budget authority and outlays for direct housing assistance and housing-related tax expenditures. While budget authority for direct housing assistance has declined over the study period, housing-related tax expenditures have quadrupled. While most direct housing assistance benefits those in the lowest income quintile, households in the highest income quintile enjoy the highest level of housing subsidy and the majority of housing-related tax expenditures. Trends in how direct housing assistance compares to other federal programs that benefit low income people are examined. How various direct housing assistance programs compare to one another are also considered.

POINT OF VIEW

by Sheila Crowley, President

Whatever outcome you wanted from the 2004 presidential election, all Americans can celebrate the increase in voter registration and turnout on November 2. Standing in line for more than a few minutes to vote had become a distant memory for many of us. For people who have come of age more recently, it was a new experience. When reliable data are available about who voted, the percentage of low income people who voted in 2004 will surely be higher than the percent in 2000. The people in the NLIHC network who worked hard to make sure their friends, neighbors, residents, and clients participated in this election are to be commended for your commitment to democracy, however messy it may be. Special thanks are due to all the volunteers who took on the unfortunate, but necessary, task of voter protection to assure that all voters were able to vote and that all votes cast were counted.

The relationships you have formed, the lessons you have learned, the skills you have honed, and the base you have expanded will serve us well as new challenges unfold in the second Bush Administration. The President has announced the big items on his domestic agenda – taxes and Social Security. He wants to make permanent the tax cuts already enacted, at a cost of \$1 trillion. He wants to reform the tax code. He wants to begin to privatize Social Security. Although he says he wants to cut the deficit in half in five years, it is impossible to see how that is possible to do even if all domestic programs took major cuts. The deficit for 2004 was \$413 billion.

(See Point of View on p.7)



NATIONAL LOW INCOME
HOUSING COALITION

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

In New Mexico, where the margin of victory in 2000 was just over 300 votes, the New Mexico Homeless Advocacy Coalition (HAC) reports they registered more than 460 homeless voters. Many of them were able to vote because the city of Albuquerque agreed to offer free public transportation to the polls, says Michael Robertson of HAC.

In Florida, the Orlando Housing Authority reports they registered more than 1,500 Public Housing Residents, far exceeding the 537 votes that decided the Presidential Election in that state in 2000. (See *Memo to Members* November 1.)

These swing states are not the only place where homeless and low income voter registration numbers saw a dramatic increase. The LA Coalition to End Hunger and Homelessness, for example, reports registering, educating and mobilizing more than 3,000 homeless people.

In New York City, the Partnership for the Homeless had a tremendously successful registration, education and mobilization campaign that saw more than 2,200 homeless New Yorkers become registered, educated and mobilized. (See *Memo to Members* March 12.)

Lisa Kuklinski at Lakefront Supportive Housing in Chicago reports that their preliminary report shows that 72% of their 750 registered residents made it to the polls on Election Day. (See *Memo to Members* September 15.) Ms. Kuklinski also reports that she is fairly certain that turnout among Lakefront's residents will match the turnout of the city as a whole.

In Ohio, where more than 1,000 social service providers were part of the Ohio Voter Protection Coalition (See *Memo to Members* October 22), turnout across the state was up more than 17%, in no small part thanks to the registration efforts of service providers such as the drop-in Center in Cincinnati where they were continuously registering, educating and mobilizing their guests, and The Other Place in Dayton where they ran a very sophisticated registration and education effort that turned out most of their residents.

Many people registered through the VREM effort were invisible to politicians until the moment they cast their vote. Thanks to these efforts, whether or not they voted for the winning candidate, they are no longer a nameless, faceless, nonvoter. If the number of homeless and low income voters continues to rise going into the 2006 mid-term and the 2008 Presidential Elections, they

have the potential to carry the same political clout as the security mom, or NASCAR dad.

If you are interested in learning more about NLIHC's VREM campaign or any effort reported here, please contact Katie Fisher at 202-662-1530 x222 or Katie@nlihc.org.

A Bright Spot for Housing: Ballot Measures

Voters in several states and localities passed initiatives on November 2 that could have a positive impact on affordable housing.

In Ventura County, California, Measure D was passed with support from 58.7% of voters. It will allow the Housing Authority of Ventura to build 500 units of affordable housing over the next 20 years, without causing an increase in taxes or fees. Ventura currently administers 716 units of public housing and 1,200 housing vouchers, but has a 2,700-person waiting list for housing assistance.

State Question 714 passed by more than a 40-point margin in Oklahoma, changing the criteria for low income senior citizens to qualify for freezes on the assessed value of their properties. Under the previous law, gross household income had to be under \$25,000 to participate in this program, but now all households earning less than HUD's calculated Area Median Income are eligible. Oklahoma voters also expressed overwhelming support for State Question 715, which exempts certain disabled veterans and their surviving spouses from paying property taxes.

In Massachusetts, the Community Preservation Act (CPA) was passed in all ten localities where it appeared on the ballot. The CPA allows communities to institute a property tax surcharge of up to 3% for open space conservation, affordable housing, and historic preservation. The funds are matched by the Commonwealth, and, in the 65 communities that had approved the CPA before November 2, a total of more than \$150 million has been raised for community preservation.

In California, Proposition 63 passed. This will add a 1% surcharge on personal income above \$1 million to fund mental health services including supportive housing.

Perhaps most noteworthy is that voters in both Florida and Nevada passed state minimum wage increases. The minimum wage will increase from \$5.15 to \$6.15 an hour in both states and will be indexed to inflation.

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

ate committees are expected to each gain one Republican and lose one Democratic seat, giving Republicans a two-seat edge on each committee. Republican control of the House of Representatives has widened, now standing at 231 to 201 with one independent and two Republican-leaning seats still to be decided.

Senator Kit Bond (R-MO) won his bid for re-election and is expected to retain his position as Chair of the VA-HUD Appropriations Subcommittee. Also in the Senate, former HUD Secretary Mel Martinez (R) won a Florida Senate seat. He has expressed interest in the Senate Banking, Housing and Urban Affairs Committee.

In the House, Representative James Walsh (R-NY) Chairman of the House VA-HUD Appropriations Subcommittee was re-elected, but it is not clear if he will retain the Chairmanship. House rules have term limitations for committee and subcommittee chairs and Representative Walsh's term is up. He has publicly stated that he would like to continue to as chair but this is a decision that will be made by the House leadership when it meets later in November.

The Appropriations chairs will also change, as House Appropriations Chair Bill Young (R-FL) and Senate Appropriations Chair Ted Stevens (R-AK) both revolve out of their current positions. Senator Thad Cochran (R-MS) is expected to become the Senate Appropriations Chair. Representatives Ralph Regula (R-OH), Jerry Lewis (R-CA) and Harold Rogers (R-KY) are all seeking to replace Chairman Young.

There will likely be modest additional movement in the House and Senate HUD appropriations subcommittees and the housing subcommittees in either the House Financial Services Committee or the Senate Banking, Housing and Urban Affairs Committee. Representative Patrick Toomey (R-PA) lost his primary bid for Senator Arlen Specter's (R-PA) seat and will leave the financial service's housing and community opportunity subcommittee.

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.

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/.

HUD

Groups Submit Comments on 2005 FMRs

The extended comment period for the FY05 FMRs came to a close Friday, November 5. A wide variety of groups took the opportunity to react to the final FY05 FMRs. NLIHC and 13 groups submitted comments, which focused on five failings in the way the FY05 FMRs have been estimated and implemented. These failings include irregularities in the implementation of random digit dialing surveys (RDDs), the inadequacy of the large-unit FMRs, insufficient exception and success rate payment standards and procedures, flawed adjustments for assisted living, and a failure to provide an adequate public comment period.

As mentioned previously in *Memo* (October 8) the samples for the RDDs for the FY05 FMRs were drawn from the proposed and not the final FMR areas. The results from these geographically incorrect surveys were then adjusted using 2000 Census data. Nearly 60% of the areas where adjustments were made saw significant declines in their FMRs relative to the FY04 FMRs, and only 14% saw increases. By contrast, 30% of those without an adjustment saw declines and nearly 40% saw increases.

Also as reported previously (*Memo*, October 15), research by the Center for Budget and Policy Priorities has revealed that there have been substantial and as yet unexplained changes in the way HUD calculates FMRs for units with larger bedroom sizes. Here, too, the predominant effect of these changes was to push the FMRs for larger units lower relative to their 2004 values.

Finally, HUD has not disclosed publicly how it made adjustments of the available data to exclude assisted housing. But it appears that at most HUD's methodology was intended to exclude public housing, and was not designed to exclude units with HOME and/or LIHTC assistance that have below-market rents. At least in some markets, this methodological error could skew rent data below the actual market for unassisted housing.

(See HUD on p. 4)

HUD (Cont. from p.3)

The largely negative impact of failings in the FY05 FMRs are of concern because they reduce the ability for programs such as Section 8 to provide families with decent housing and/or sufficient housing choice. These failings also destabilize the housing programs that rely on these data. This not only affects current and future tenants and program administrators but also the private landlords and developers that participate in these programs.

Additionally, the comments focus on the failure of HUD administrators to provide administrative relief for those subject to uncertainty and significant change in their FMRs. The comments note changes to the administration of exception and success rate payment standards, which limit the ability of PHAs to adjust to changes in the FMRs. The comments also point out that even with the extension for comments until November 5, given the extent and the ongoing nature of the changes HUD has proposed since August, the comment period was in fact limited from both an historical and a practical perspective. In the end there simply was not enough information on how the FMRs were calculated or enough time to piece together the evidence that was available.

Based on these findings the comments make a number of specific recommendations to HUD. For example, HUD should accept comments through January 1, 2005 and under certain circumstances HUD should allow housing agencies and owners developing units using HOME funds to revert to the 2004 FMRs, or continue using the FMRs published on October 1, 2004. NLIHC and other groups also call on HUD to publish a detailed description of the full methodology it used to set the FY05 FMRs and make available promptly on request individual-respondent-level data from 2005 RDD surveys, as soon they become available, and data from past RDDs conducted since 2000. Unless it is able to clearly demonstrate that reducing these ratios is justified by changes in market conditions and would affirmatively further housing opportunities for large families, HUD should use the same minimum ratios between large-unit FMRs and two-bedroom FMRs as it has in the past. HUD should exclude rental data for all assisted units from FMR determinations. And finally, HUD should allow HUD field offices to approve payment standards between 110% and 120% of the FMR without approval by HUD headquarters. In cases where HUD denies a request for an exception payment standard or a success rate payment standard, it should provide a written reply to the applicant agency specifying which criteria for approval the agency failed to meet.

Comments are available at www.nlihc.org/2005fmr/finalcomments.htm.

HUD Issues New Affordable Housing Goals for GSEs

The Department of Housing and Urban Development released new housing goals for the housing GSEs, Fannie Mae and Freddie Mac, on November 1. These final housing goals, which take effect January 1, 2005, are higher than the current requirements but somewhat lower than those originally proposed by HUD this summer.

The housing goals are designed to measure how well the GSEs carry out their mandate to purchase mortgages for low and moderate income families as well as their activity in underserved communities such as central cities and rural areas. While HUD has lowered these final goals slightly from the proposed goals, they still represent an increase from the current levels, something that advocates strongly recommended in their comments to HUD. Freddie Mac has expressed concern that the goals might be tough to meet, while Fannie Mae said they were looking forward to meeting the new housing goals.

In 2005, the GSEs will have to increase the percentage of units they finance for low and moderate income families as a percentage of their business from 50% to 52%, and to 56% by 2008. In underserved areas the goals increase to 37% in 2005 and 39% by 2008, compared to the current level of 36%.

The final rule also sets new subgoals targeted to metropolitan areas. HUD believes that these subgoals are needed to focus the GSEs' efforts to reach their housing goals in a clear and transparent manner. Secretary Alphonso Jackson said that these goals are designed to push the GSEs to genuinely lead the market.

The final rule can be found at www.hudclips.org/sub_nonhud/cgi/pdf/24101.pdf

In a related matter, HUD published a notice of proposed rulemaking to consider the impact of a high volume of mortgage refinancings on the ability of Fannie Mae and Freddie Mac to meet their housing goals. Many of the comments HUD received on the proposed rule argued that the GSEs would have a difficult time meeting their housing goals in periods of high refinance activity. The proposed rule can be found at www.hudclips.org/sub_nonhud/cgi/pdf/24100.pdf. Comments are due December 17.

Voucher Funding Crisis -- Update from the Field Week 29

HUD's actions this year have left cities and states without sufficient funds to run current voucher programs. Cities and states from coast to coast are being forced to adapt to the underfunding.

Maine Housing Authorities Struggle to Run Voucher Program

The Augusta Housing Authority has reported that its reduction in administrative fees will make it more difficult to run their Section 8 voucher program. Housing Authority director Victoria Watkins told the *Kennebec Journal* that she won't be able to give landlords what they want for rent payments and is afraid they will ultimately leave the program.

Michael Johnson, director of the Waterville Housing Authority, reports that HUD cuts in the administrative fees to run the operational side of the Section 8 program in his jurisdiction are going to lead to the Authority with inadequate resources to cover fuel costs, which have dramatically increased.

In Maine, as well as across the country, housing authorities have been forced to freeze their waiting lists and increase their minimum rents to tenants in order to keep the program running without forcing families out of the voucher program.

The director of asset management for the Maine State Housing Authority, Daniel Brennan, said the Maine Authority has been able to deal with the cuts more easily than local authorities because it is a state agency with other resources. However, he expressed concern about the direction of the program.

Berkeley Section 8 Stable for Now

The director of the housing authority in Berkeley, California, Stephen Barton, said that the city narrowly escaped catastrophe because of cuts and retroactive changes that HUD has made to the Section 8 program, but that because of good luck and strong planning the city has not had to make any drastic changes to their program. However, the city is not using all of its 1,841 vouchers. It currently has dispensed 1,821, for fear of not being able to absorb the costs of potential errors or changes. Barton said that subsidizing vouchers at a fixed dollar level doesn't leave much room for error or adjustments if there is a downturn in the economy.

New York: NYC Tenants Rally on the Steps of City Hall in Record Numbers

With the largest turnout in more than a decade, more than 450 tenants and supporters arrived at City Hall in New York City on October 28, 2004, to attend the first of two hearings of Introduction 186, The Tenant Empowerment Act, which is a right of first refusal bill. As a result of a tremendous community effort to get people mobilized, attendees filled the courtyard and hearing room to capacity. They first showed their support during a rally on the steps of City Hall and then again during the hearing held before the Council's Housing and Buildings Committee.

The ordinance would apply to project-based Section 8, limited dividend, and Mitchell-Lama rentals (a New York affordable housing program). The bill proposes an eighteen-month notification to tenants, and would require that if the landlords decide to opt-out or buy-out of the affordable housing programs, tenants have the first opportunity to acquire the building and maintain its affordability by partnering with a responsible non-profit housing developer, the tenant association or the city.

"Overall, HUD has demonstrated little capability or initiative to address preservation issues across the privately-owned federally subsidized stock," testified James Grow of the National Housing Law Project. "Many states and local governments have become increasingly aware of the integral role played by these federal developments in meeting their affordable housing challenges."

Similar laws have been enacted in cities and states across the country including Washington, D.C, Illinois, and Maine. "Tenants in New York City need the opportunity to save their homes and preserve affordable housing," said Anne Lessy, Director of New York City Organizing at New York State Tenants & Neighbors.

This bill is particularly important in New York City because approximately 44,000 units of affordable housing have been lost through pre-payment or opt-outs of affordable housing programs and the remaining 110,000 units are at risk of the same fate. Project-based Section 8 developments alone constitute 55,000 apartments with contracts scheduled to expire between 2004 and 2010.

(See Field on p. 6)

Field *(cont'd from p. 5)*

More than fifty community groups, community development corporations, and tenant associations, including the Association of Neighborhood and Housing Development, support the bill. There are twenty-eight co-sponsors of the bill, including City Council member Alan Gerson who introduced the bill and City Council Speaker Gifford Miller.

If enacted, this ordinance will be an important tool in the city to preserve affordable housing, protect long-time residents, and keep neighborhoods affordable.

For further information please contact Anne Lessy, Director of New York City Organizing, anne@tandn.org or (212) 608-4320 x307.

Resources

Report from NAEH Family Homelessness Conference

A plenary presentation by Professor Dennis Culhane of the University of Pennsylvania was well-received by the more than 400 attendees at the conference on ending family homelessness convened in October in Los Angeles by the National Alliance to End Homelessness (NAEH). Titled “Family Homelessness: Where to from here?” Mr. Culhane’s presentation was based on his own research and the work of others, which has found that subsidized housing “cures” homelessness and that post-placement supportive services provided to families have no impact on their housing outcomes in the first 18 months after placement.

The implications of these research findings for housing providers is significant in that it runs counter to the concept that only certain people are “ready” for permanent housing. Homeless families are “poorer, younger, more likely to be pregnant, from an ethnic minority, and less likely to have housing subsidies. They are not more likely to be mentally ill, depressed or less educated,” said Mr. Culhane.

The homeless Continuum of Care model that evolved in the late 1980’s suggested that from street homelessness, an individual or family had to first go through emergency shelter stays, and into “transitional” service-enriched housing before they were ready to “graduate” to independent or supportive permanent housing. By the mid-1990’s, “housing first”

models, in which homeless families were offered immediate housing with links to community-based services, emerged in Los Angeles and New York, among other places.

This latest research reinforces the experience of providers in the field that prolonged stays in shelters and transitional facilities are not prerequisites for housing success (in fact they may inflict additional traumas) and that a housing subsidy is the primary means for ending family homelessness. To download Mr. Culhane’s presentation, visit the NAEH website at www.endhomelessness.org. To learn more about the housing-first approach, click on the link to the “Housing First Network.”

NLIHC’s Housing Plus Services Committee has also developed some valuable resources for those who want to understand the variations in types of existing housing and service initiatives in practice, please visit www.housingplusservices.org, the Committee’s website, which offers a typology and proposed principles for developing and operating permanent affordable housing that incorporates various levels of services.

How to Lead an Effective Affordable Housing Communications Campaign

The Neighborhood Reinvestment Corporation has published “*The NeighborWorks Journal: Changing Minds, Building Communities: Advancing Affordable Housing through Communications Campaigns*” to record highlights from their May 5 symposium on Multifamily Excellence. The event, also hosted by The Campaign for Affordable Housing, looked at how best to converse with policymakers and the public in order to convey the very urgent need for affordable housing and to obtain financial support of housing programs. Through presentations and discussions, the symposium came to several conclusions for communications campaigns, including connecting early on with communities to avoid knee-jerk NIMBY fights, changing wording from “affordable housing” to “homes that are affordable,” and respecting differences in opinion among community members and leaders. The publication is available at: www.nw.org/network/pubs/studies/documents/ChangingMindsSymposium.pdf.

(See Resources on p. 7)

Resources *(cont'd from p. 6)*

New Report Defends Rural Rental Housing Program

The National Rural Housing Council published a report entitled, "Preserving Rural America's Affordable Rental Housing: Current Issues" concerning the Section 515 Rural Rental Housing Program. The report seeks to prove the value of the program, especially in the face of recent funding cuts, and more broadly to suggest changes for rural rental housing in America.

Congress created the Section 515 Rural Rental Housing Program in 1962 to aid the elderly, people with disabilities, and mothers with children who earn an average of less than \$10,000 per year. The program, administered by the Rural Housing Service (RHS), gives subsidized loans to developers to build, acquire, and rehabilitate rural rental housing. It currently serves about 475,000 families, but significant funding shortfalls leave many more in need.

Because of the challenges faced by the Section 515 program, the report suggests a variety of changes. Among these are an increase of funding to a minimum level of \$250 million annually and the involvement of Fannie Mae and Freddie Mac in the preservation of the Section 515 portfolio. The report is available at: www.nrhweb.org/news/515PreservationReport.pdf

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

Taxes and Social Security are mega issues that will affect every person in the country. Although the President has said that simplifying the tax code does not include eliminating deductions for interest paid on mortgages or charitable contributions, replacing taxes on income with taxes on consumption as many are suggesting does not seem to be compatible with preservation of tax deductions or credits. The President has also said that reform to the tax code will be revenue neutral, unlike his tax cuts that have not been offset. Note, however, that he does not say the cost of reforming the tax code will be shared equitably. Reforms that make federal taxes more regressive will place a disproportionate burden on people whose income comes from their participation in the workforce.

Social Security is the cornerstone of the American social contract that binds one generation to the next. It is social insurance. The total amount you pay in depends on your income and the number of years you work; the total amount you take out depends on how long you live. Any change to Social Security that alters this basic structure means breaking the contract between the federal government and the American people.

Much has been made of so-called "moral values" in the days since the election. It is values that will drive the decisions about the future of the American tax system and Social Security, values such as fairness as expressed in the golden rule and honor as expressed by keeping your word. The renewed civic engagement that emerged in the 2004 election must now accelerate and swell. These are decisions that none of us can afford to leave to others.

Fact of the Week

Rural Losses: Prepayment and the Section 515 Program

2003 was the first year with a net loss in 515 units

Units Produced 2003	826
Units lost to Prepayment	1,848
Net Loss	(1,022)

515 loans are being pre-paid at an increasing rate

1962–1999	2,056
1999–2003	421

Source: The National Rural Housing Council. 2004. Preserving Rural America's Affordable Rental Housing: Current Issues at www.nrhweb.org/news/515PreservationReport.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!

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.

NLIHC Staff

- Matt Achhammer, Field Organizer, x229
- Stacy Braverman, Legislative Intern, x243
- Bonnie Caldwell, Senior Legislative Director, x242
- Linda Couch, Deputy Director, x228
- Sheila Crowley, President, x224
- Kathleen Flanagan, Outreach Intern, x244
- Katie Fisher, Field Organizer, x222
- Melissa Higuchi, Membership Associate, x227
- Milicent Johnson, Outreach Intern, x241
- Amanda Logan, Outreach Intern, x314
- Khara Norris, Executive Assistant, x224
- Danilo Pelletiere, Research Director, x237
- Mister Phillips, Staff Attorney, x250
- Kim Schaffer, Outreach Director, x230
- Tessa Silvestri, Research Intern, x239
- Tangi Slattery, Outreach Intern, x244
- Michelle Goodwin Thompson, Office Manager, x234
- Mark Treskon, Research Analyst, x245
- Carol Vance, Receptionist/Office Assistant, x221

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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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