



**Policy Recommendations  
Prepared for the  
Agency Review Team  
for the  
Department of  
Housing & Urban Development  
on Housing Priorities**

**DECEMBER 2020**

## Stable affordable housing is foundational to economic mobility and social equity.

Stable affordable housing lifts Americans out of poverty and provides stability for working families and seniors. It improves life outcomes for low-income Americans through better health and educational attainment. It plays a significant role in dismantling years of systemic racism. The Council of Large Public Housing Authorities calls on the Biden-Harris Administration to significantly expand federal investment in affordable housing and service programs for low-income households and to improve the efficiency and effectiveness of existing programs.

CLPHA offers the following recommendations to the Biden-Harris Administration to preserve, improve, and expand the supply of affordable housing.

### URGENT

#### PROVIDE IMMEDIATE COVID EMERGENCY RENTAL ASSISTANCE

- Support COVID relief legislation that includes emergency rental assistance in the form of single-use, non-renewable emergency Housing Choice Vouchers with CARES Act waivers.

#### PASS FY 2021 THUD APPROPRIATIONS

- Support FY2021 appropriations bill that fully funds COVID-related operating costs with CARES Act waiver authority for the Public Housing Operating Fund, the Public Housing Capital Fund, Housing Choice Vouchers, Housing Choice Voucher Administrative Fee and Tenant Protection Vouchers (TPV).

# FIRST 100 DAYS

## PUBLIC HOUSING PORTFOLIO RECAPITALIZATION

- Establish public housing portfolio recapitalization as a key Administration/HUD priority.
- Name senior-level appointee responsible for developing and implementing cross-agency HUD plan to eliminate the public housing capital backlog within ten years, with the authority to work across HUD offices and other federal agencies such as Treasury.
- Establish high-level advisory group to determine how to assess current and future public housing capital needs and the resources needed to fully recapitalize the portfolio as directed by Congress in the FY2020 THUD appropriations bill.

## BUDGET REQUESTS

- Increase FY2022 budget request for the public housing Capital Fund that at a minimum meets annual accrual needs.
- Increase FY2022 budget request for Tenant Protection Vouchers to ensure replacement and relocation resources for developments approved under Sec. 18 demolition and disposition rules and as a resource for RAD blending conversions.

## SECTION 18

- Revise HUD's implementation guidance on Sec. 18 demolition and disposition requirements so that it conforms to statutory requirements, including permitting disposition where the PHA determines it is in the best interests of the residents.
- Streamline Sec. 18 requirements and processing, including redefinition of the "obsolescence" test so PHAs can more easily replace substandard housing.

## LOW-INCOME HOUSING TAX CREDITS

- Support statutory and regulatory changes to expand and improve the Low-Income Housing Tax Credit (LIHTC), including provisions to promote recapitalizing the public housing portfolio such as fixing the 4% tax credit rate and incentivizing projects that serve extremely low-income households.
- Amend LIHTC to ensure that projects are not lost to investors by strengthening a PHA's right to retain ownership through an effective purchase option and/or right of first refusal.
- Address current private activity bond volume cap issues, for example, by exempting public housing recapitalization projects from state volume caps.

## INFRASTRUCTURE

- Convene appropriate stakeholders to promote new infrastructure investments, including tax incentives and public-private partnerships, to expand and enable private investment and sustainable operations in support of the long-term affordability of the public and affordable housing portfolio; improve existing incentives such as Opportunity Zones.
- Support infrastructure legislation that includes significant funding to PHAs for capital improvements and replacement of public housing.

## RENTAL ASSISTANCE DEMONSTRATION

- Eliminate cap on Rental Assistance Demonstration (RAD) to support long-term portfolio planning; align timeframes with the availability of additional funding sources; and permit multi-phase redevelopment projects that are sensitive to resident relocation needs.
- Provide additional funding to support RAD projects so that conversions that are not feasible at existing public housing funding levels will work.
- Expand RAD/Tenant Protection Voucher blending transactions and further promote consistent occupancy rules between RAD and non-RAD Project-Based Voucher (PBV) transactions.

## PROJECT-BASED VOUCHERS

- Expand availability of PBVs for special needs housing, acquisition in high opportunity neighborhoods, and creation of long-term affordability in high-cost areas.
- Fully implement HOTMA with the flexibility Congress intended, and further increase the cap on the number of vouchers PHAs may project-base, particularly for PBVs located in high-opportunity areas and in tight rental markets where preserving affordability is most critical.

## PERMANENTLY EXPAND THE HOUSING CHOICE VOUCHER PROGRAM

- Establish a legislative and policy framework for making vouchers available to all eligible households.
- Make available additional flexibilities so that PHAs can expeditiously lease up new households, including all HCV waivers made available in the CARES Act.
- Increase funding and flexibility for targeted/Special Purpose Vouchers.
- Provide funding for services attached to special purpose vouchers that serve specific, higher-need populations.
- Allow for more flexibility in the Veterans Affairs Supportive Housing Program (VASH) to maintain high utilization of vouchers including third-party service providers, expedited referrals, and broader eligibility criteria.

## EXPAND HOUSING SUPPLY WITH NEW DEVELOPMENT AND ACQUISITION TOOLS

- Pursue a legislative agenda to promote incremental affordable housing development by PHAs, including elimination of the Faircloth Amendment that prohibits the construction of new public housing units and permitting such units to be directly converted under RAD.
- Incentivize localities, through HUD funding, to eliminate discriminatory land use policies, exclusionary zoning, and other artificial barriers to building affordable housing.

## EXPAND OPERATIONAL FLEXIBILITY FOR PHAs TO BETTER MEET LOCAL NEEDS

- Increase the number of large, high-performing housing authorities, or housing authorities who have otherwise demonstrated high-capacity, as agencies designated with Moving to Work (MTW) flexibility.
- Explore new statutory pathways to increase flexibilities to all housing authorities in addition to full MTW designation.
- Make CARES ACT waivers permanent.
- Rescind MTW Operations Notice that effectively creates a separate program for new MTW agencies.
- Expand mobility strategies by allowing PHAs to use a portion of their HAP and administrative fee for initiatives that promote lease-up in well-resourced neighborhoods, including landlord incentives, housing search support, and security and utility deposit assistance.
- Expand broadband access for tenants in federally assisted housing by including the use of broadband internet in the utility allowance for tenants.
- Treat broadband as a standard operating and capital cost for public housing properties, facilitating installation of broadband in older properties with the most limited digital access.
- Allow full fungibility between public housing Operating and Capital Funds.

## PROMOTE AND FUND CROSS-SECTOR/CROSS-AGENCY PARTNERSHIPS

- Name senior-level appointee responsible for cross-sector initiatives with authority to work across HUD offices and other federal agencies.
- Convene a cross-sector task force on coordinating COVID relief measures in public and assisted housing.
- Appoint teams within all federal agencies including HUD, Health and Human Services (HHS), Education, and Labor to explicitly coordinate the Administration's activities across these sectors that each report to their agencies' Secretaries.
- Fund PHAs to staff cross-sector partnerships with education partners (e.g. schools, afterschool programs) and health partners (e.g., federally qualified health centers, community mental health) through dedicated funding and/or funding fungibility.

- Make funds available across federal agencies with lead entities applying from their department (e.g., PHAs applying as lead entity with a school district for HUD funding, a school district applying as lead with a PHA for Department of Education funding).
- Fund multisector policy and research efforts on the impact of housing investment on social determinants of health.
- Provide grants across HUD and the Departments of HHS, Education, and Labor to help establish and deepen cross-sector collaboration comprehensively addressing improvements in life outcomes; prioritize projects that involve housing, health, and education partners.
- Fund legacy cross-sector initiatives such as Connect Home, Connect Ed, and EnVision Centers.
- Expand cross-sector research and allowable data sharing and uses across all federal agencies including HUD and the Departments of HHS, Education, and Labor to create to build more robust data and policy analytics.
- Allow PHAs and other housing providers to engage in data sharing to benefit residents beyond research and evaluation purposes.
- Establish and fund new demonstrations for PHAs similar to Project SOAR aimed at improving educational, health, and employment outcomes with housing as a platform for services that tests innovative systems alignment models.

## NEEDED ADMINISTRATIVE ACTION

- Rescind proposed rule terminating assistance to mixed-status families.
- Withdraw the 2020 Affirmatively Furthering Fair Housing (AFFH) rule and solicit input from industry stakeholders on improvements to the 2015 AFFH rule.
- Withdraw changes to the public charge rule and revert to previously held public charge test.
- Rescind Executive Order on "Combating Race and Sex Stereotyping."
- Rescind proposed changes to the Equal Access Rule and retain protections for transgender individuals available under the 2012 rule and reinstate guidance for providers to ensure that they can accommodate all transgender individuals in a manner consistent with an individual's preferred gender identity.
- Repeal Puerto Rico's burdensome CDBG-DR requirements that place unnecessary restrictions on access to appropriated disaster relief funds.

## ABOUT CLPHA

The Council of Large Public Housing Authorities is a national non-profit organization that works to preserve and improve public and affordable housing through advocacy, research, policy analysis and public education. CLPHA's 70 members represent virtually every major metropolitan area in the country. Together they manage 40 percent of the nation's public housing program; administer more than a quarter of the Housing Choice Voucher program; and operate a wide array of other housing programs. Learn more at [clpha.org](http://clpha.org) and on Twitter [@CLPHA](https://twitter.com/CLPHA).

## ABOUT THE HOUSING IS INITIATIVE

The *Housing Is* Initiative, led by the Council of Large Public Housing Authorities, helps build a future where sectors work together to improve life outcomes. Housing stability is a critical first step to improve life outcomes for low-income children, families, and seniors; CLPHA's *Housing Is* Initiative is based on the premise that sectors can better meet needs when they work together. Housing Is establishes, broadens, and deepens efforts to align affordable housing, education, and health systems to produce positive, long-term results. Learn more at [housingis.org](http://housingis.org) and on Twitter [@housing\\_is](https://twitter.com/housing_is).

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