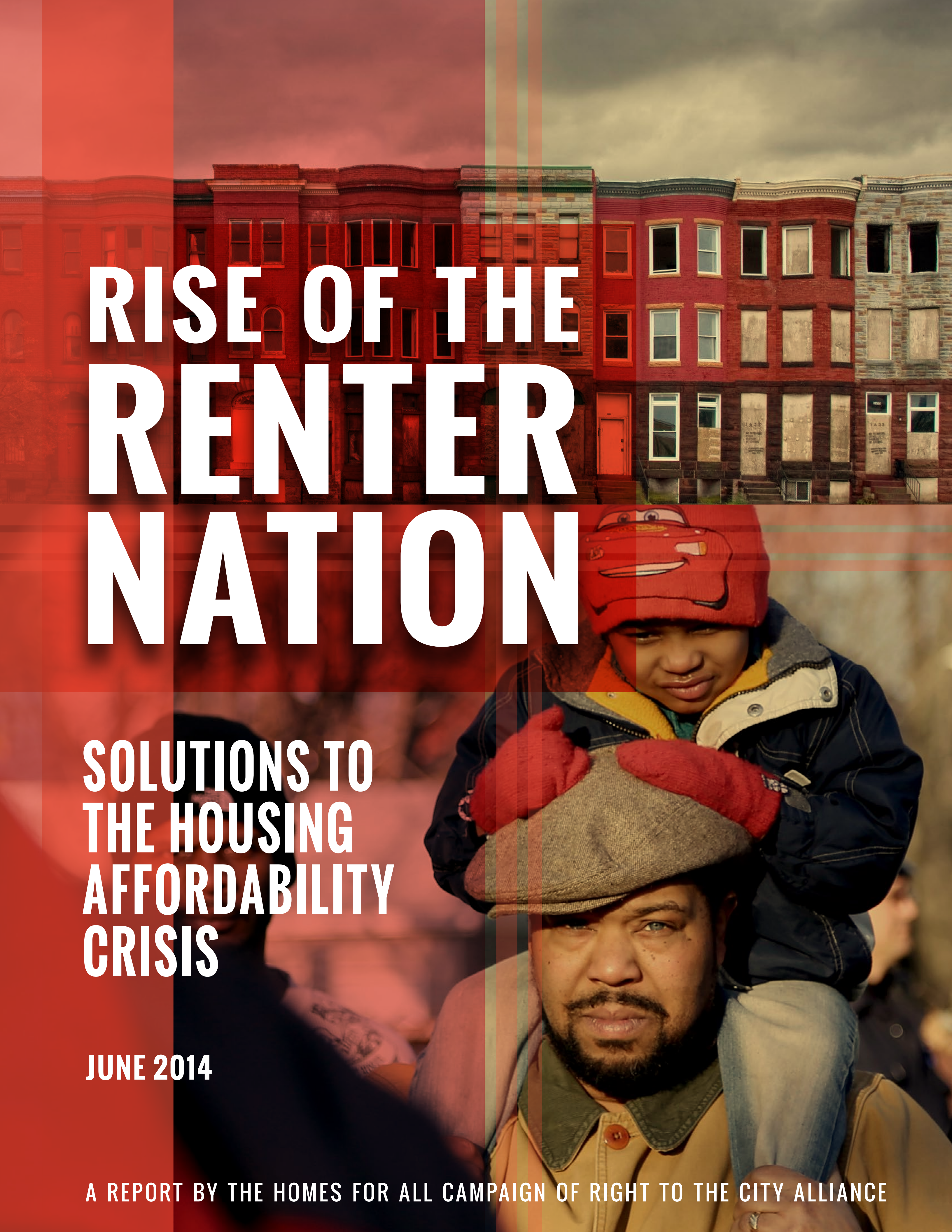

RISE OF THE RENTER NATION

SOLUTIONS TO THE HOUSING AFFORDABILITY CRISIS

JUNE 2014

A REPORT BY THE HOMES FOR ALL CAMPAIGN OF RIGHT TO THE CITY ALLIANCE

THE RIGHT TO THE CITY ALLIANCE

The Right To The City Alliance seeks to create regional and national impacts in housing, human rights, urban land, community development, civic engagement, criminal justice, immigrant rights and environmental justice. Right To The City was born out of a desire by members, organizers and allies around the country to have a stronger movement for urban justice. The Right to the City Alliance asserts that everyone — particularly the disenfranchised — not only has a right to the city, but as inhabitants, have a right to shape it, design it, and operationalize an urban human rights agenda.

www.righttothecity.org

HOMES FOR ALL CAMPAIGN

This report was written as part of Homes For All, a national campaign that is broadening the conversation of the housing crisis beyond foreclosure and putting forth a comprehensive housing agenda that also speaks to issues affecting public housing residents, homeless families, and the growing number of renters in American cities. The growing influence of Wall Street firms and Big Banks, as well as the rise of the corporate landlord in the single-family market, is central to understanding the housing crisis renters face today.

Homes For All works to protect, defend, and expand housing that is truly affordable and dignified for low-income and very low-income communities. The campaign engages those most directly impacted by this crisis through local and national organizing, winning strong policies that protect renters and homeowners, and shifting the national debate on housing. Right To The City is working collaboratively across sectors to develop national housing policy that ensures that our communities and future generations have homes that are truly affordable, stable, and dignified. Homes For All has grown to include 25 grassroots community organizations in 19 cities and 14 states across the country. The National Low Income Housing Coalition is a campaign partner.

www.homesforall.org

TONY ROSHAN SAMARA, the principal writer of this report, is Senior Program Director for Land Use and Housing at Urban Habitat (urbanhabitat.org) in Oakland, CA. He works on regional development campaigns addressing affordable housing, gentrification, and displacement from a social justice perspective. Tony also has extensive experience as a researcher, with a focus on the politics of development and the marginalization of low-income communities. He has conducted research in South Africa, China, and India, in addition to the United States, and writes regularly for academic, policy, and general audiences. Since 2007 he has worked with the Right To The City Alliance as a resource ally, and currently serves on the Alliance's national steering committee. Tony has a PHD in Sociology from the University of California, Santa Barbara and an M.A. from the City University of New York. He runs the Cities and Globalization Twitter account at https://twitter.com/CGWG2 **and most of his publications are available at** http://independent.academia.edu/TonyRoshanSamara

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SUPPORT WRITERS

Marnie Brady, PhD candidate in Sociology, Graduate Center, City University of New York

James Defilippis, Associate Professor, School of Planning and Public Policy, Rutgers University

Desiree Fields, Assistant Professor of Urban Studies at Queens College of the City University of New York

Gilda Haas, Professor of Urban Planning at Antioch College in Los Angeles

Rachel Laforest, Executive Director, RTC Alliance

Tony Romano, Organizing Director, RTC Alliance

REVIEWERS AND CONTRIBUTORS

Rehanna Azimi, RTC Intern

Michaelann Bewsee, Arise for Social Justice

Trenise Bryant, Miami Workers Center

Rob Call, Occupy Our Homes Atlanta

Anj Chaudhry, CAAAV Organizing Asian Communities

Karen Chen, Chinese Progressive Association Boston

Malcolm Chu, Springfield No One Leaves

Robbie Clark, Causa Justa::Just Cause

Marisol Cortez, Esperanza Peace and Justice Center

Mike Dennis, East LA Community Corporation

LeConté J. Dill, Assistant Professor, School of Public Health, SUNY Downstate Medical Center

Luis Flores, Jr., Causa Justa::Just Cause

Kendra Froshman, Mission SRO Collaborative

Favian Gonzalez, Strategic Actions for a Just Economy

Isela Gracian, East LA Community Corporation

Kendall Jackman, RTC Alliance individual member

Lydia Lowe, Chinese Progressive Association, Boston

Yasmeen Perez, RTC Development Director

Dawn Phillips, Causa Justa::Just Cause

Tomás Rivera, Chainbreaker Collective

Kevin Stein, California Reinvestment Coalition

Alexandra Suh, Koreatown Immigrant Workers Alliance

Mark Swier, Operations Manager, RTC Alliance

COPY EDIT AND DESIGN

Rise of The Renter Nation Design: Joshua Barndt, Sabrina Dorsainvil

Copy Edit: Suzy Subways, Corina Beth Delman

Chart and Graphics Design: Joshua Barndt, Sabrina Dorsainvil

Chart and Graphics Creation: Sarah Heck, PhD student in Geography and Urban Studies, Temple University; Gilda Haas, Professor of Urban Planning at Antioch College in Los Angeles

Data Collection: Michael Synan, M.A., CUNY Hunter College

Art Direction/Support: Lenina Nadal, Communications Director, RTC Alliance, Joshua Barndt, Sabrina Dorsainvil

Please send comments and questions to: info@homesforall.org. To purchase this report in hardcopy format visit: www.homesforall.org

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EAST LOS ANGELES RESIDENTS FIGHT TRANSIT ORIENTED DISPLACEMENT IN THEIR NEIGHBORHOOD.

INTRODUCTION

HOMES FOR ALL RALLY, SPRINGFIELD, MA

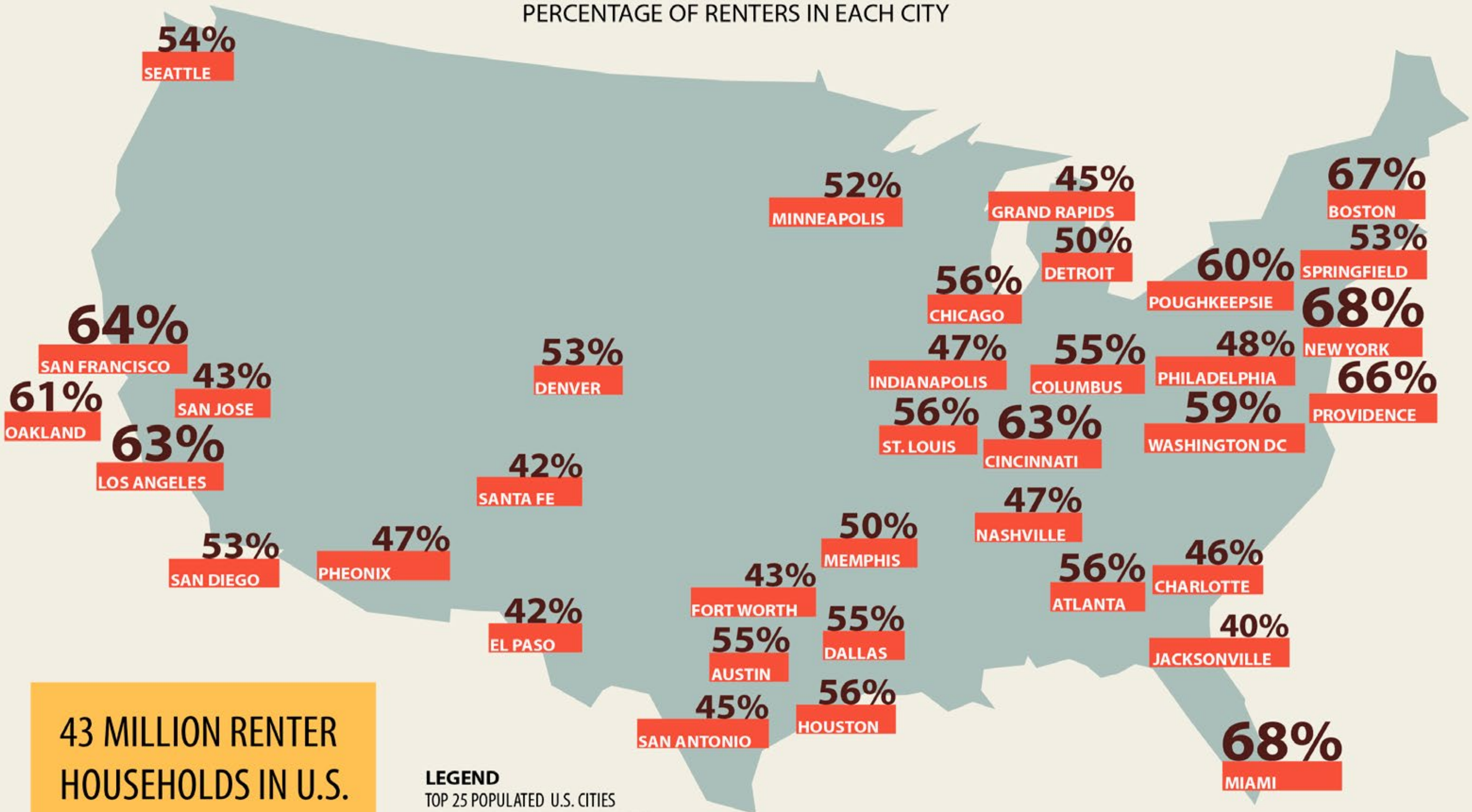
REFRAMING THE HOUSING CRISIS: THE RISE OF THE RENTER CLASS

The housing landscape underwent a seismic shift as a result of the foreclosure crisis and the wider recession that began in 2006.The rate of homeownership fell dramatically after more than a decade of unsustainable growth, returning to levels last seen at the beginning of the housing market boom in the mid-1990s. As homeownership rates fall, the proportion of renters experienced an equally dramatic climb. The foreclosure crisis has driven millions of former homeowners into the rental market. In addition, the number of young adults and senior citizens facing economic hardship is on the rise, sending even more people in search of rental units. All of this contributes to a tightening of supply and a steady increase in rents, with no relief in sight. Renters currently represent approximately 35 percent of all households, with far higher percentages in many major cities. There is no reason to believe the rate of homeownership will increase in the near future, and mounting evidence indicates it may fall further.[1]

Recent reports of a housing market rebound are misleading. The economic and social costs for most renter households are increasing and are expected to worsen in coming years. For low-income renters in particular, chronic housing insecurity has reached crisis proportions. In a recent and well-publicized study, the Urban Institute found that across the country there are only 29 affordable units for every 100 extremely low-income renter households, defined as earning less than 30 percent of area median income.[2] Currently, 7.1 million additional units of housing are required just to meet the needs of very low-income households, where the supply of affordable housing relative to need is greatest.[3]

Housing is an anchor for a stable, prosperous, and just society. Congress realized as much when, in the Housing Act of 1949, it linked the general welfare of the nation to decent housing and a suitable living environment. As such, the provision of housing represents the best investment a society can make for achieving long-term stability and broad-based prosperity.[4] For low-income populations, secure housing is the most important factor in providing access to employment, healthcare, and social services.[5] Housing insecurity, on the other hand, is linked to a wide range of negative outcomes, including deteriorated physical and emotional health, family instability, poor school performance, and long-term poverty.[6]

FIGURE 1: **RENTER NATION**
PERCENTAGE OF RENTERS IN EACH CITY



43 MILLION RENTER HOUSEHOLDS IN U.S. (2013)

LEGEND
TOP 25 POPULATED U.S. CITIES AS WELL AS CITIES WITH HOMES FOR ALL PARTNER ORGANIZATIONS

Excessive housing costs force low income families to spend less, when at all, on other needs. A recent Consumer Expenditure Survey found that,

[S]everely burdened families... spend a third less on food, half as much on pensions and retirement, half as much on clothes, and three-quarters less on healthcare as families paying affordable shares of their incomes for housing."[7]

More than 60 years after the Housing Act became law, housing insecurity is endemic and deeply entrenched. This report presents a vision for genuine housing security, crafted by grassroots organizations from many of the most impacted communities across the country. It offers an analysis of the major challenges we face in advancing a housing justice agenda and policy solutions that move us beyond reactive and ineffective approaches. The growing renters' crisis demands that we envision and implement a more proactive national housing policy, one that clearly and unequivocally places the need for decent and stable housing ahead of exorbitant profits for large, unaccountable private investors.

"RENTER" DEFINED

We employ an expansive definition of "renter" and use it interchangeably with "tenant." We include anyone who is paying rent or seeking to rent but does not have the resources to do so. We include tenants, public housing residents, squatters, single room occupancy (SRO) tenants, and homeless families and individuals, whether they are living on the street, in a shelter, or with someone else temporarily. Likely renters and vulnerable residents, including low-income homeowners and mobile home park residents are key constituencies who will also benefit from renters' rights ordinances, including a Renters' Bill of Rights. (See page 33-39)

NOTE: The cities cited in the graphs and charts within this report include the top 25 populated U.S. cities and participating cities in the Homes For All campaign. (See Appendix 1 and 5)

The majority of those faced with housing insecurity in the United States are renters. Renters are disproportionately low income, people of color, immigrants, and the young, and they are concentrated in cities and surrounding suburbs. Many new renters in recent years are former homeowners, the victims of the private housing market and the financial institutions that dominate it.

We employ an expansive definition of renters. We include anyone who is paying rent or seeking to rent without the resources to do so. We include public housing residents, squatters, single-room occupancy tenants, and homeless families and individuals, whether they are living on the street, in a shelter or with someone else temporarily. Some lower-income homeowners will continue to become renters. Some current renters will become homeowners — but the reality is that most will remain renters.

A NEW MODEL: 5 POLICY PILLARS

The recent housing market collapse underscored yet again the importance of viewing decent housing as a right rather than as a commodity. Policy at the local, state and federal levels must recognize and protect this right and, concretely, prioritize the provision of decent housing for those most in need. What we must avoid is a repeat of the mistakes of the past.

To avoid these mistakes and to create more robust, sustainable and just housing policy, we employ the concept of housing security. Housing security is not simply a reflection of affordability, which is generally the sole or primary characteristic that drives current policy and shapes policy debates. Instead, it recognizes that decent housing involves simultaneous attention to a number of interrelated concerns that will provide a foundation for comprehensive policy reform. Specifically, we believe housing policy focused on housing security for the growing population of renters must stand on five pillars.

Taken together, these five pillars represent a model for housing security that we believe reflects the interests of those for whom insecurity has been, or may become, a fact of life. As the basis for new housing policy, they would break the unacceptable pattern of failure that has defined the decades between the call for decent housing in the 1949 Housing Act and the recent market implosion.

AFFORDABLE HOUSING POLICY MUST ADDRESS ALL 5 PILLARS

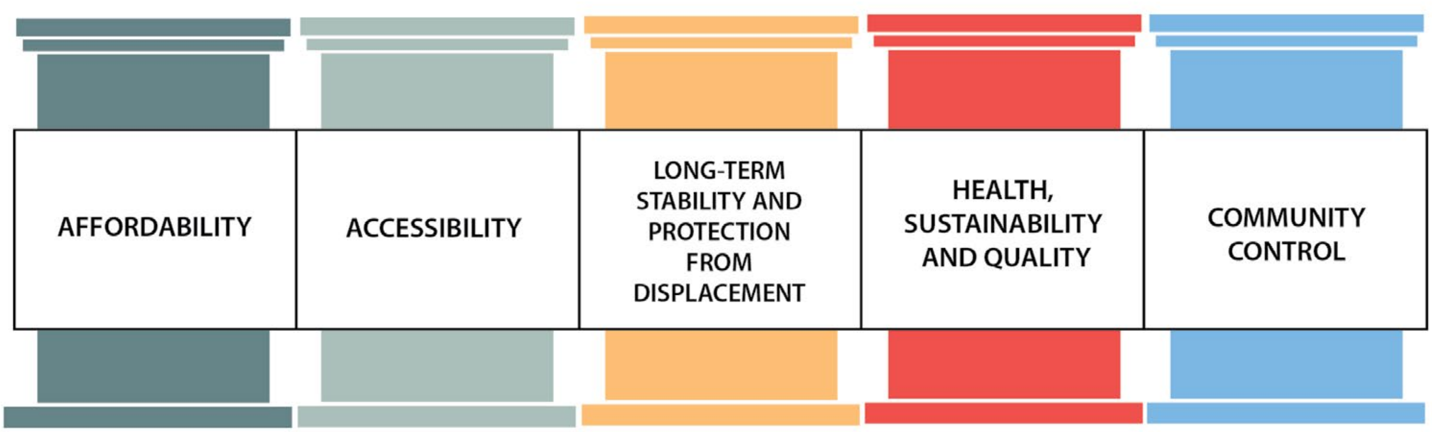
AFFORDABILITY:
Housing needs to be affordable relative to household income and other reasonable expenses.

ACCESSIBILITY:
Housing should be made accessible to historically marginalized populations, and it should be well-integrated socially and geographically.

LONG-TERM STABILITY AND PROTECTION FROM DISPLACEMENT: People's homes need to be protected from market forces causing displacement and changes in government policy over the long term.

HEALTH, SUSTAINABILITY, AND QUALITY:
Housing should contribute to individual, family, community, and planetary health.

COMMUNITY CONTROL:
Housing and land should be controlled through democratic structures and processes.



The general welfare and security of the nation and the health and living standards of its people require … the realization as soon as feasible of the goal of a decent home and a suitable living environment for every American family.
-Housing Act of 1949

HOMEOWNERS PROTEST AGAINST FORECLOSURE AND EVICTIONS AT THE HEADQUARTERS OF FANNIE MAEIN WASHINGTON, D.C.

BOYLE HEIGHTS AND WYVERNWOOD RESIDENTS MARCH WITH ELACC AGAINST A REDEVELOPMENT PLAN THAT WOULD TEAR DOWN THOUSANDS OF RENT CONTROLLED AFFORDABLE UNITS.

THE PERFECT STORM

Currently, we are ill-equipped to meet the needs of the current and emerging renter class. The surge in demand for rental homes has contributed to shrinking supply and rising rents, both of which worsen the housing picture for already housing insecure populations. Shaun Donovan, Secretary for the Department of Housing and Urban Development, recently remarked that "We are in the midst of the worst rental affordability crisis that this country has known."[8]

In their recent report, "Out of Reach," the National Low-Income Housing Coalition reveals the perfect storm that has generated this unprecedented crisis and continues to worsen: growing number of renters, rising rents and falling wages and income, a severe shortage of affordable housing for low-income people, and misguided government policy.[9]

1. INCREASE IN RENTERS

Between 1960 and the beginning of the housing bubble in 1994, homeownership rates in the United States moved very little, cycling between 62 and 65.6 percent despite massive federal support for increasing the number of homeowners. In 2004, just before the crash, homeownership peaked at just under 70 percent of the entire population, a figure that reflects what we now know was a major market bubble. By 2012, the overall rate of homeownership had fallen to 65.4 percent — identical to the rate in 1996 — and this figure would be even lower if we excluded distressed owners.[10] In six years, between 2006 and 2012, gains in homeownership made over the two decades before the crash were entirely wiped off the map. Today a full 35 percent of the entire population — or 43 million households — consists of renters, with even higher proportions in some cities.[11]

These figures obscure important racial disparities in homeownership. Homeownership rates have historically been substantially higher for whites than for people of color. In the recent wave of foreclosures, homeownership rates fell for all groups, but they fell just 2.7 percent among whites, compared with 5.8 percentage points for Blacks and 3.3 percent for Hispanics. While the Hispanic-white homeownership gap has widened, the Black-white gap has reached historic proportions.[12] (See chart 4)

The flip side of the housing market collapse is an unprecedented rise in the number of renter households, one that shows few signs of slacking over the next decade. 2012 saw the addition of 1.1 million renters, the second year of 1 million–plus growth, adding to the total of over 5 million new renters that entered the rental market between 2005 and 2012. Over this period, renters have accounted for all net household growth.[13]

There is good reason to believe that this trend will continue. In fact, rates of homeownership may drop even further as stagnant or declining wages — and structural inequality more generally — make it is less likely that younger generations will fully replace older generations of homeowners, as they have in the past. Adults between the ages of 24 and 35, for example, are experiencing greater poverty than previous generations and are more likely today to languish for years in low-wage work and be saddled with debt.[14] Senior citizens are also facing increased housing insecurity. Older homeowners who were seriously delinquent in paying their mortgage increased dramatically between 2007 and 2011, and the foreclosure rate for people between the ages of 65 and 74 jumped from .25 percent to 2.55 percent over the same period.[15]

The Joint Center for Housing Studies at Harvard University estimates the total growth of renters between 2013 and 2023 will be between 4 and 4.7 million households.[16] It is important to note that these figures do not reflect people who would like to rent but are unable to do so. This includes homeless individuals and families, who number over 600,000 on any given day,[17] people who are living in a single-room occupancy, or people living with friends or relatives. These figures also do not reflect the almost 2 million people — disproportionately Black and Latino men — incarcerated in prisons and jails, many of whom will struggle with housing insecurity upon release.

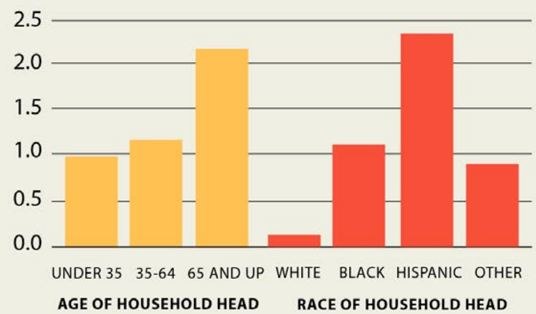
The vast majority of the net increase in renters over the next decade will be people of color, with Latinos alone accounting for more than half of the total. Currently, people of color make up 47 percent of renters, more than twice their homeowner share of 22 percent.[18] Renters are also disproportionately low income and concentrated in urban areas. Drawing upon the American Community Survey data from 2007 to 2011, the Joint Center for Housing Studies found that 45 percent of occupied rental homes in the 100 largest metropolitan areas were located in low-income neighborhoods (with median incomes below 80 percent of the metro area median).[19]

In addition to this, the large number of homeowners who lost their homes through foreclosure or unemployment has added substantially to competition in the rental market.[20] Between 2009 and 2011, for example, new renters absorbed the net increase in units over that period and also occupied 140,000 previously vacant units that were too expensive for low-income renters.[21]

> There will be 4.7 million new renters in the next decade. Half will be seniors. The vast majority will be people of color.
>
> - Joint Harvard Study 2013

CHART 1: **INCREASE IN RENTERS BY AGE AND RACE**

PROJECTED RENTER HOUSEHOLD GROWTH 2013-23 (MILLIONS)

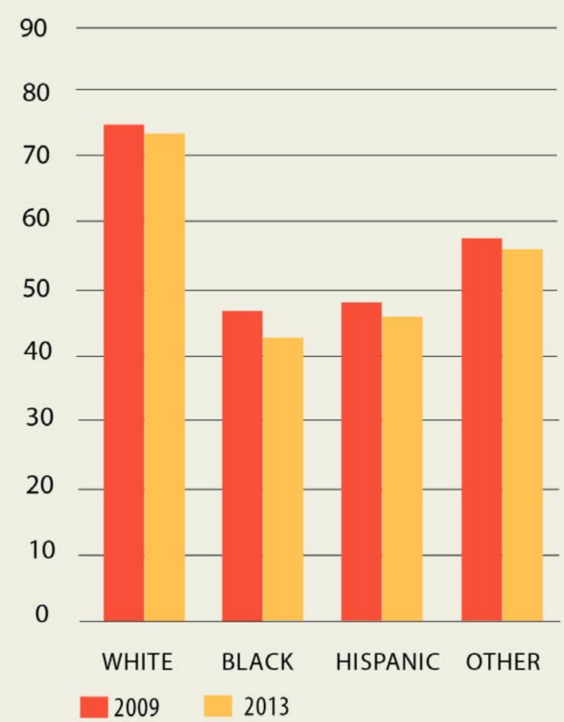


NOTE: WHITE, BLACK, AND OTHER HOUSEHOLD HEADS ARE NON-HISPANIC. HISPANICS MAY BE OF ANY RACE

TABLE SOURCE: JOINT CENTER FOR HOUSING STUDIES OF HARVARD UNIVERSITY, AMERICA'S RENTAL HOUSING-EVOLVING MARKETS AND NEEDS, 2013.

CHART 4: **HOMEOWNERSHIP RATES BY RACE**

YEARS 2009 AND 2013 (PERCENT)

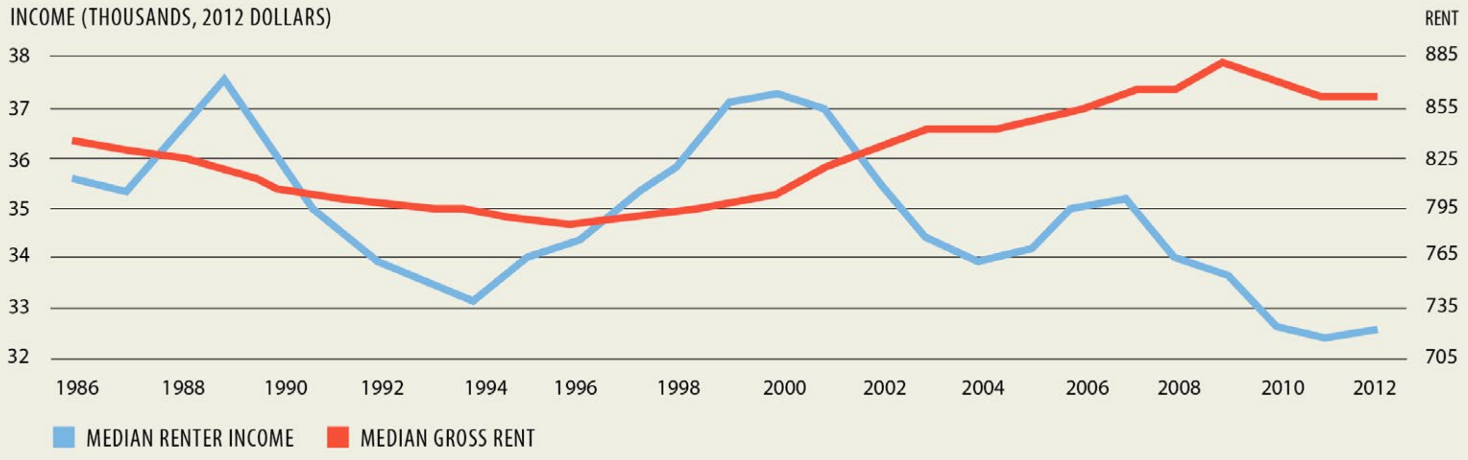


NOTE: WHITE, BLACK, AND OTHER HOUSEHOLD HEADS ARE NON-HISPANIC. HISPANICS MAY BE OF ANY RACE. OTHER IS ANY OTHER RACE.

SOURCE: U.S. CENSUS BUREAU, 2010-2012 AMERICAN COMMUNITY SURVEY

> Low-income service sector workers, including those making minimum wage, compose a sizeable portion of the nation's 10.2 million extremely low-income renters (zero to 30 percent of area median income). Overall job growth has been heavily concentrated in low-wage industries, with 58 (percent) of new jobs post-recession paying no more than $13.84 an hour. This trend is likely to continue over [the] next decade.
>
> - National Low Income Housing Coalition, Out of Reach, 2014, p. 6.

CHART 3: **RISING RENTS AND DECLINING INCOME**



SOURCES: JCHS TABULATIONS OF US CENSUS BUREAU, DECENNIAL CENSUS, CURRENT POPULATIONS SURVEYS (CPS), SURVEY OF MARKET ABSORPTION, AMERICAN HOUSING SURVEY.
TABLE SOURCE: JOINT CENTER FOR HOUSING STUDIES OF HARVARD UNIVERSITY, *AMERICA'S RENTAL HOUSING-EVOLVING MARKETS AND NEEDS*, FIGURE 24, 2013.

2. RISING RENTS, FALLING INCOME

After a period of steady decline, rents began to rise in 1996, paralleling the housing market bubble, peaking in 2009 before dipping slightly. Rents climbed 4 percent in 2012 alone and another 4.6 percent in 2013 — and are expected to increase by at least 4 percent per year in 2014 and 2015.[22] Overall, rents climbed 6 percent in real terms between 2000 and 2012. Meanwhile, real median renter incomes fell over much of this period, ending 13 percent lower in 2012 than in 2000. As a result, the gap between rental costs and renter incomes in 2012 was wider than in any year except 2010. Median renter income, peaked in 2000 at $37,000 and has since fallen steadily, hitting $32,500 in 2012.[23] Almost half of renters (46 percent) earn below $30,000, including 22 percent whose annual income is below $15,000 (roughly equivalent to working year-round at the minimum wage).[24]

3. SEVERE SHORTAGE

The national vacancy rate for rentals dropped from 11 percent in 2009 to 8.2 percent in 2013. In metro areas, the rate was even lower, at 7.9 percent, while in the Northeast and West they dropped to 6.7 and 6.3 percent, respectively.[25] As mentioned earlier, the Urban Institute found that there are only 29 affordable units for every 100 extremely low-income households — a significant decline from 2000, when the ratio was 37:100.[26] A recent New York Times report, based on a study it commissioned, found 90 metro regions where rent (excluding utilities) was out of reach for even middle-income households.[27]

> There are only 29 affordable units for every 100 extreamly low-income households.

Although 186,000 new rental units were constructed nationally in 2012, the typical rent per unit is $1,185, requiring an annual income of over $47,000 if rent is not to exceed 30 percent of income.[28] The average median income for renters in 2012 was $32,500.[29] Further, "between 2001 to 2011, 650,000 units renting for under $400 (affordable to persons earning a full-time minimum wage) were permanently lost. As a result, some 12.8 percent of the 2001 low-cost rental inventory disappeared within the decade."[30]

4. THE MISDIRECTION OF HOUSING POLICY

Despite the severe and growing burden on renters, federal policy and resources continue to favor private homeownership. In 2009, according to the Congressional Budget Office, $60 billion in budgetary support was provided to improve rental affordability. In comparison, budgetary resources to support homeownership that same year amounted to $230 billion, almost four times what was allocated for renters.[31]

> [Federal] budgetary resources to support homeownership... amounted to $230 billion, almost four times what was allocated for renters.

Most of the assistance to homeowners was geared toward stabilizing the homeownership market through providing financial relief for owners through tax breaks ($96 billion in mortgage interest and property tax deductions) and loan modifications ($75 billion for the Making Home Affordable program, for example).[32] Most of this spending is for higher-income groups concentrated in the top fifth of households by income. In fact, more than half of federal spending for housing goes to households with incomes above $100,000 — and almost a third goes to families with incomes above $200,000.[33] A recent study found that mortgage tax breaks not only benefit wealthier families living in suburbs, but also underwrite these families' buying bigger houses: In the most affluent regions, the tax break is linked to increases in home size of up to 18 percent.[34]

In contrast, for the population of renters, where housing insecurity is clearly concentrated, spending is far below what is needed. The single largest expenditure supporting renters, for example, is the Housing Voucher Program, which allows low-income families to rent in the private rental market. The program costs approximately $16 billion annually and is only able to serve one of four eligible families.[35] At the same time, other programs intended to support extremely low-income households — including public housing, the HOME program, and the Community Development Block Grant programs — have steadily lost funding in recent years.[36]

CONSEQUENCES OF THE PERFECT STORM: THE BURDENED RENTER

The combination of rising rents, insufficient affordable housing and stagnant wages has led to a sharp increase in burdened households. According to the Joint Center for Housing Studies,

[T]he share of renters paying more than 30 percent of income for housing, the traditional measure of affordability, rose 12 percentage points over the decade [2000-2010], reaching 50 percent in 2010. Much of the increase was among renters facing severe burdens (paying more than half of income for rent), boosting their share nearly 8 percentage points to 27 percent [of the renter population]. These levels were unimaginable just a decade ago, when the fact that the severely cost burdened share was nearly 20 percent was already cause for serious concern.[37]

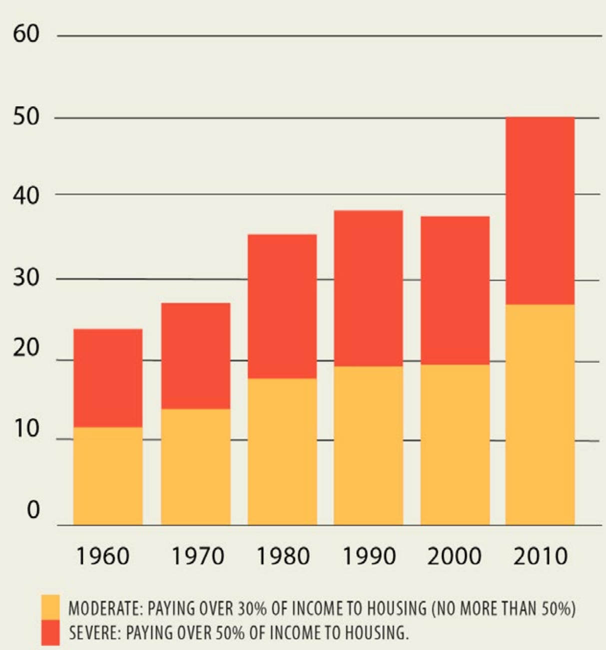
These burdens continue to weigh more heavily on people of color. In 2011, 51 percent of renter households (totaling 20.6 million households) were either moderately burdened (paying 30 to 50 percent of income to rent) or severely burdened (paying over 50 percent). However, the figure for white households was 46 percent, compared with 59 percent for Black households, 57 for Hispanic households, and 48 for Asian households. Similar disparities exist among severely burdened households specifically, which made up 28 percent of all renter households in 2011. The percentage of households that were severely burdened was 25 percent of whites, compared with 35 percent of Black households, 31 percent of Hispanic households, and 27 percent of Asian households.[38]

The burden of renting also falls disproportionately on women. In 2010, women-headed households represented almost 75 percent of all renter households receiving assistance from HUD, or 3.2 million households nationwide.[39] The percentages are much higher in some states, concentrated in the south. In Virginia, women-headed households receiving HUD rental assistance make up 85 percent of the total, in Georgia 88 percent, and in South Carolina 90 percent - the national high.[40]

Rent burdens also disproportionately impact children of color. In 2009, 54.5 percent of all renters with children were paying more than 30 percent of their income in rent. The rate was over 65 percent for Black children and 62.2 percent for Hispanic children, compared with 48.6 percent for white children. Children of immigrants were also more likely to live in a burdened household, at 62.4 percent compared with 55.8 percent for children with native-born parents[41] However the numbers are parsed, they add up to a growing crisis that demands immediate and forceful action.

CHART 5: **INCREASE IN RENTER COST BURDEN**

SHARES OF COST BURDENED RENTER HOUSEHOLDS 1960 -2010 (PERCENT)

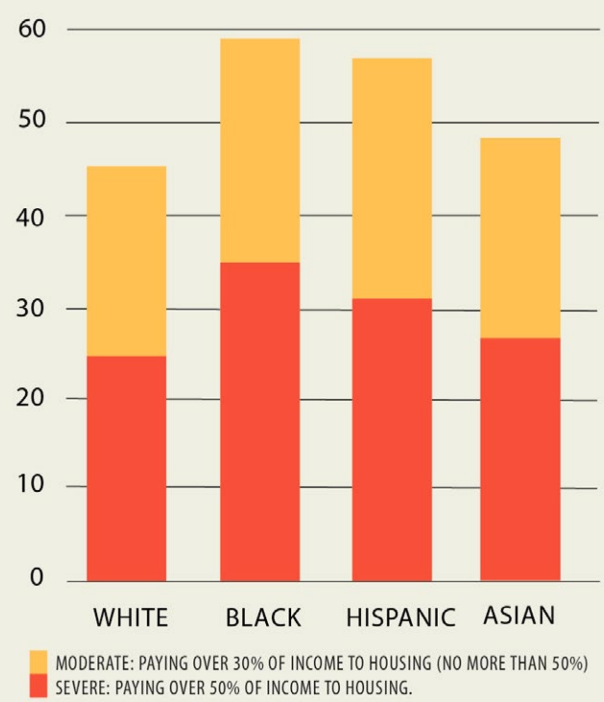


SOURCES: JCHS TABULATIONS OF US CENSUS BUREAU, DECENNIAL CENSUS AND AMERICAN COMMUNITY SURVEY

TABLE SOURCE: JOINT CENTER FOR HOUSING STUDIES OF HARVARD UNIVERSITY, *AMERICA'S RENTAL HOUSING-EVOLVING MARKETS AND NEEDS*, 2013.

CHART 6: **INCREASED COST BURDEN BY RACE**

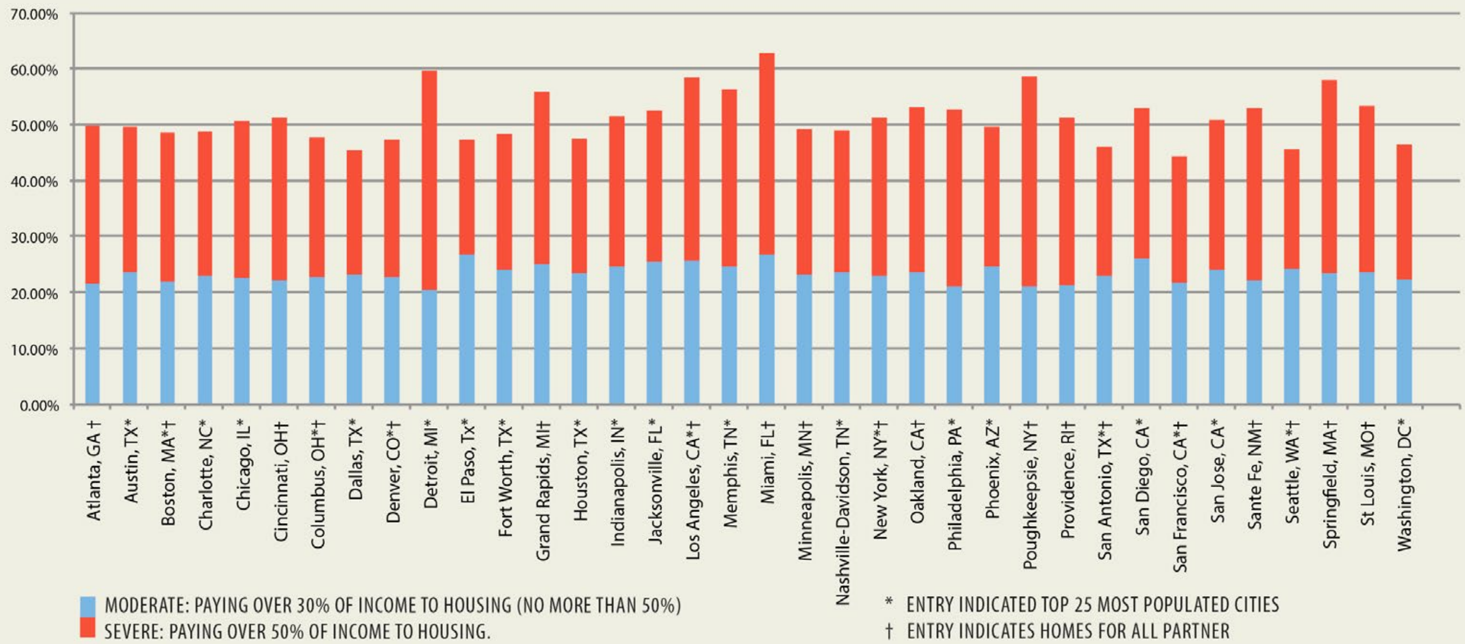
COST BURDENED RENTER HOUSEHOLDS (PERCENT)



SOURCE: JOINT CENTER FOR HOUSING STUDIES OF HARVARD UNIVERSITY, *AMERICA'S RENTAL HOUSING-EVOLVING MARKETS AND NEEDS*, 2013.

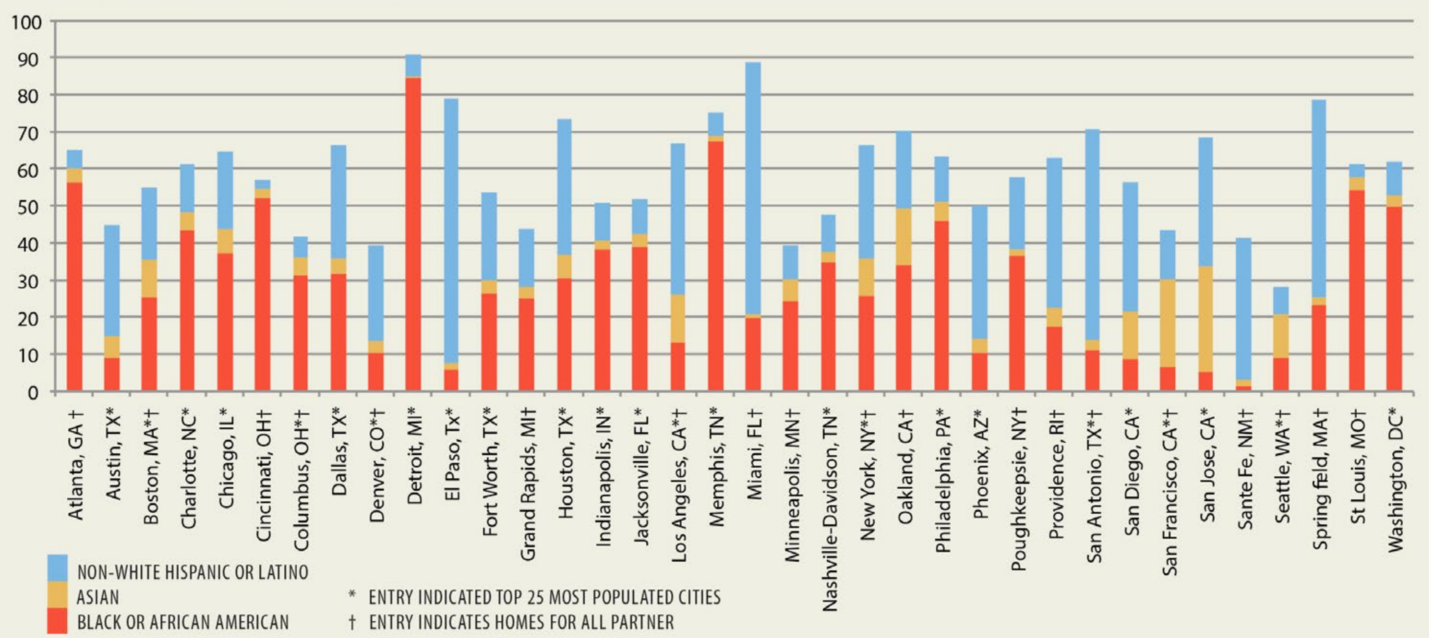
Half of all renters (over 21 million households) have unaffordable rent.
Over 11 million renter households pay over half of their income to housing.
- Joint Harvard Study 2013

CHART 2: **HOUSING-COST BURDEN FOR RENTER IN SELECTED CITIES 2012**
(PERCENT OF HOUSEHOLDS)



SOURCE: U.S. CENSUS BUREAU, 2010-2012 AMERICAN COMMUNITY SURVEY CREATED BY SARA HECK

CHART 7: **TOTAL RENTERS IN SELECTED CITIES BY RACE AND HISPANIC ORIGIN**
2012 (PERCENT OF HEADS OF HOUSEHOLDS)



SOURCE: U.S. CENSUS BUREAU, 2010-2012 AMERICAN COMMUNITY SURVEY CREATED BY SARA HECK

MIAMI WORKERS CENTER MEMBERS RALLY TO RESTORE FUNDING FOR THE NATIONAL HOUSING TRUST FUND

HOW DID WE GET HERE

Housing insecurity for renters extends well beyond the housing market crash in 2006. Though only now recently receiving widespread attention, the story of gentrification and displacement stretches back almost three decades.[42] Beginning in the late 1970s, urban land markets in previously neglected communities began to revive as urban economies shifted from manufacturing to services. Investment capital began to return to the city, seeking higher returns during a period of economic stagnation.

The result was the urban "revitalization" period of the 1990s to the present, which has produced severe socio-economic inequality across metropolitan regions.[43] The financialization of land and housing, combined with an anemic federal housing policy, generated intense pressure on low-income communities of color. Rents went up, and many long-term residents were driven out. When the recession came, the hardest hit communities were already reeling from years of neglect and sometimes even hostility on the part of city governments and more affluent populations.

The vulnerability of these communities is directly linked to the steady erosion of protections for renters and the decline of the tenants' rights movement, both of which occurred just as financial capital was busy discovering urban land as a source of profit.[44] As land values began to climb, property owners and their allies in city governments attacked these protections, usually successfully, and took advantage of their victories to extract maximum value from their investments. In Boston, Brookline, and Cambridge, Massachusetts, for example, after rent control was abolished across the state in 1994, rents in gentrifying neighborhoods increased by 50 to 150 percent, displacing thousands of local residents.[45] A spokesperson for Boston's mayor at the time stated that the rent for a two-bedroom apartment had increased over 75 percent, and a study by a Cambridge landlord found that rents for previously rent-controlled units had doubled.[46]

The financialization of land and housing, combined with an anemic federal housing policy, generated intense pressure on low-income communities of color.

FAILURE OF THE FEDS

Changes to housing policy and practice in the mid- to late 1990s added to the structural problem of rental housing affordability. During this period, the 20-year contracts the Department of Housing and Urban Development had signed with landlords across the country for Section 8 housing began to expire. Landlords saw the profits that could be made in opting out of the affordable housing program. HUD noted in 1999 that two-thirds of all project-based Section 8 housing contracts were set to expire by 2004, and that in 1998 the number of units pulled out of the program had tripled compared with the previous year.[47] Combined with the onset of public housing demolition ushered in by HOPE VI, the decade preceding the housing market crash represented a perfect storm in creating severe housing insecurity for low-income communities of color: Demand for affordable rentals increased sharply, and available units declined, as a direct result of government action and inaction.

HUD summed up the emerging crisis in 1999 but also revealed a fundamental misunderstanding of the relationship between the market economy and housing:

Ironically, the strong economy is a key factor pushing rent levels to new record highs. Rather than benefiting from the surging economy, low-income renters are left to compete for the dwindling supply of affordable rental housing available on the private market. Many of the most vulnerable low-income renters spend years waiting in vain to obtain needed rental housing assistance.[48]

In fact, it would have been ironic if this didn't happen. As countless research studies in the intervening years have demonstrated, the "surge" was little more than the hyper-concentration of wealth at the top of the income ladder and stagnant or declining wages for almost everyone else. That this structural distortion of the economy led to a dwindling of affordable rental housing in the market was entirely predictable.

The housing market recovery making headlines shows how far we still are from a sober assessment of the crisis of affordable housing. This is not a recovery from the reality of chronic housing insecurity, which the evidence reveals to be worsening, but a recovery for financial markets and the financial actors that fueled housing speculation in the first place. While pundits and economic forecasters may be telling the people the housing crisis is over, more than 75 percent of the population believes it is ongoing — including almost 20 percent who feel it may in fact worsen still.[49]

Mainstream and even some conservative commentators are openly talking about a 'rentership society,' questioning the status that has traditionally been accorded ownership. Among the general public, support for policies directed at renters is increasing, and here too the firm belief that success equals homeownership is weakening. What this means is that a political space has opened up in which advancing sound housing policy is possible and, increasingly, something people want.

The housing crisis did not break the power of the homeownership dream that has defined success in this country for so many decades. If nothing else, the steady dismantling of social welfare polices over the past half-century means that home equity is still the only real, if increasingly receding, hope most people have for long-term financial security, for themselves and their children. But the collapse has forced a discussion of alternatives to a model that has never addressed the housing needs of millions of Americans. African Americans and Latino communities experienced a loss of wealth that is historically unprecedented in the most recent housing market collapse.[50] This loss highlights not only the devastating effect of market-driven policies, but also the need to move well beyond current approaches to housing security.

Interestingly, mainstream and even some conservative commentators are now openly talking about a "rentership society," questioning the status that has traditionally been accorded ownership.[51] Among the general public, support for policies directed at renters is increasing, and here too the firm belief that success equals homeownership is weakening. What this means is that a political space has opened up in which comprehensive housing reform is possible and, increasingly, something people want. But the rupture in the homeownership consensus does not mean that sound, sustainable policy will emerge on its own. It will require new visions and collective efforts against powerful market actors and their policy allies, who are either unwilling or incapable of making genuine progress on their own.

THE ROOTS OF HOUSING INSECURITY

BOYLE HEIGHTS RESIDENTS, LOS ANGELES, CA.

The national economy has shifted fundamentally from the heyday of post–World War II prosperity that fueled upward mobility and homeownership for a disproportionately white middle class. Today we are faced with a new period of entrenched inequality, a hyper-concentration of wealth, and socio-economic immobility.[52] Chronic housing insecurity for renters directly challenges the myth that the market, even with mild government intervention, can provide safe and stable housing for all. Yet, policy makers have for the most part been steadfast in their refusal to acknowledge and act on this reality. Even at the lowest end of the income scale, federal, state and local policy is organized around the principle of pushing people into the private market with, at best, inadequate and unreliable support.

Achieving genuine housing security will require more than slightly revised versions of the same policies that contributed to the housing bubble in the first place. It will require an agenda that puts housing security ahead of devotion to markets and fealty to the barons of Wall Street. This agenda must address the range of factors that anchor housing security. Acknowledging the fact that housing insecurity is concentrated among renters is a necessary first step, but it is not sufficient on its own. Federal, state and local housing policy moving forward must address, simultaneously, the range of issues that cause the displacement of residents and breakup of communities. Central to countering these are the five pillars outlined earlier: affordability, long-term stability, community control over housing, health and housing quality, and accessibility.

AFFORDABLE HOUSING IS NOT ALWAYS AFFORDABLE

The issue most often associated with secure housing is affordability. Affordable housing is defined by the federal Department of Housing and Urban Development as housing that costs 30 percent or less of a household's pre-tax income. This definition of housing cost, which includes rent and utilities, is also used widely by housing policy centers, researchers, and local policy makers. Unfortunately, this definition of affordability is a major source of continued housing insecurity and impedes advances that would align policy with the lived reality of low-income households. There are many problems with this use of the 30 percent level; we will address the two primary ones here.

First, the 30 percent threshold ignores variations in household income and size. Take two hypothetical examples: For a household with four people and a total household income of $10,000 a year whose annual home costs are $3,000, such is defined as "affordable." But such a housing expenditure would, before government assistance, leave this household with $7,000 per year to pay for food, health, clothing, transportation, leisure, and any emergencies — $1,750 per household member. That amounts to $4.80 per day per person. Second, take a household of two people with total household income of $1 million a year. Their home costs $350,000 (per year), and thus is defined as "unaffordable." But such a housing expenditure would still leave this household with $650,000 per year to pay for all other expenses, or $325,000 per person. Each person in this household would thus have $900 per day to spend but be considered to be living in unaffordable housing.[53]

These are extreme examples, but they highlight the extent to which households vary a great deal in their capacity to pay for housing. Variation in capacity is a function of income but it is also a function of a misunderstanding of affordability. According to Michael Stone, one of the preeminent authorities on housing affordability, "affordability is not a characteristic of housing — it is a relationship between housing and people. For some people, all housing is affordable, no matter how expensive; for others, no housing is affordable unless it is free."[54] Stone has developed his critique over the past few decades around the concept of "shelter poverty," a rival to the mainstream notion of affordable housing.[55] Shelter poverty is based on a sliding scale of how much households could afford to pay and still have enough left over to meet their other needs as a household.

The second major problem with the standard meaning of affordable housing is that when it is translated into policy, affordability becomes tied to the concept of Area Median Income. AMI is the median income (exact middle income among all incomes) for a metropolitan area or county. The AMI is used as the benchmark that affordable housing programs or providers use to target their programs, and it is common in housing circles to talk about an "affordable housing" development with such phrases as "80 percent of AMI" or "50 percent of AMI." What this means is that the housing

> For some people, all housing is affordable, no matter how expensive; for others, no housing is affordable unless it is free.
>
> -Michael Stone

In the Bay area's Silicon Valley, households earning between $20,000 and $35,000 spend 70 percent of their income on housing and transportation, compared with only 24 percent for households earning over $100,000.

-"Moving Silicon Valley Forward," Urban Habitat

that is developed will have a cost that is "affordable" (that is, 30 percent of household income) for households up to that percent of AMI. The different programs have different income targets and different levels of subsidies. For instance, project-based Section 8 housing is open to residents with incomes up to 80 percent of AMI, while other programs reach as low as 30 percent of AMI or as high as 120 percent of AMI.

Metropolitan areas contain a wide range of income levels, and increasing inequality means that incomes cluster toward the ends of the income scale and away from the middle. This means that programs designed to provide housing for low-income people can easily benefit middle-class households. In New York City, for instance, the currently applicable AMI is $85,900 for a family of four, while the median household income for the city itself (not including the wealthy northern suburbs) is only $51,270.[56] Thus, policies or programs based on AMI can further restrict available affordable housing for low-income households. The result of these misleading measures is that low- and very low-income households are marginalized by the very policies that are, ostensibly, meant to assist them.

LONG-TERM STABILITY AND PROTECTION FROM DISPLACEMENT

Policies ensuring long-term stability and security of tenure must be a part of any meaningful housing reform agenda. The past three decades have seen low-income communities across the country ravaged by rising housing costs and the return of more affluent populations to city centers. The result has been widespread displacement on a scale not seen since the days of urban renewal. At the same time, tenant protections have largely evaporated — and many local governments, eager to curry favor with developers, have turned their backs on their low-income constituents. The market collapse exacerbated the situation, as many foreclosed properties housed renters. According to the Census Bureau, in 2009, for example, the number of people who moved because of eviction climbed 127 percent from the previous year to 191,000.[57]

Even if housing is affordable for tenants, housing stability can still be a source of day-to-day and longer-term insecurity. For too many low-income tenants, being renters means living in constant fear of eviction or gentrification-induced displacement, even if their home is affordable at any given moment. In California, for example, the Ellis Act allows landlords to evict residents without reason, as long as the

The past three decades have seen low-income communities across the country ravaged by rising housing costs and the return of more affluent populations to city centers. The result has been widespread displacement on a scale not seen since the days of urban renewal.

Jesús Sanchez, a Latino immigrant and Mission resident came home one night to find that the locks to the unit had been changed and all his belongings had been removed. He was illegally evicted without the due process tenants in SF are afforded in cases of eviction. In January of 2014, Jesus contacted PG&E to report a gas leak. The utility company shut off the gas until a repair was made. Jesús says one of the building owners turned the gas back on without addressing the leak. The master tenant in the unit (the person he rents from who is not the owner) had already attempted to verbally evict Jesús for reporting the leak and continued to harass and pressure him to leave. After verbal altercations with both the master tenant and the owners, Jesús came home to a unit with changed locks. The carpets had begun to be pulled up, and all of his belongings were gone.

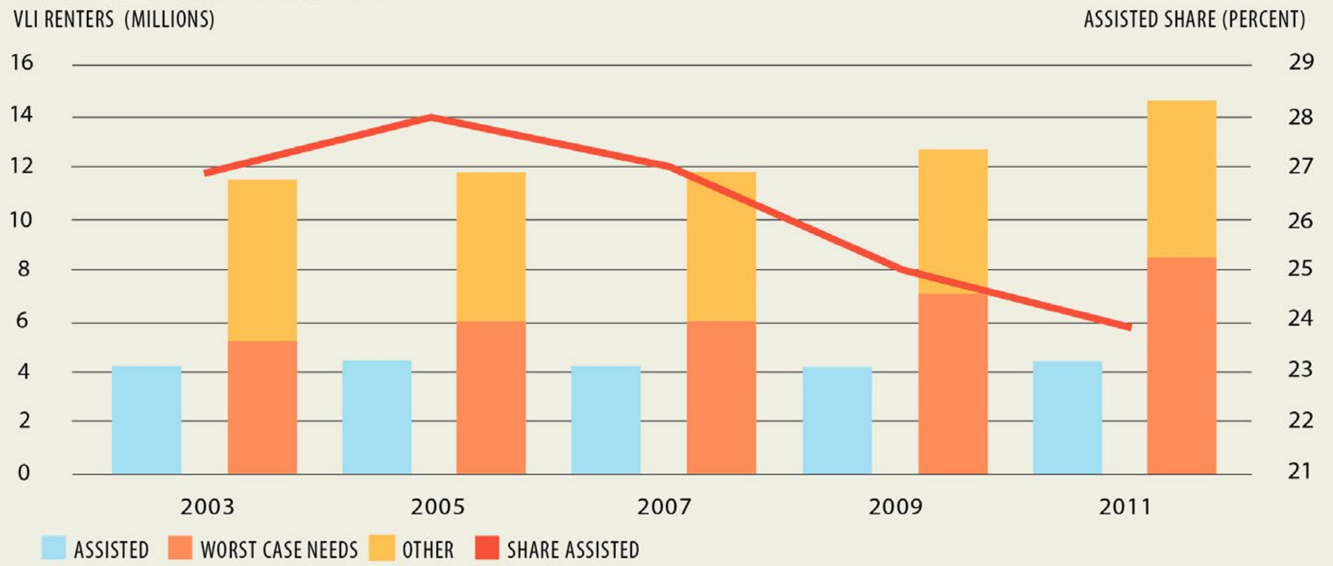
-Causa Justa/Just Cause, San Francisco, California owner intends to remove the units from the rental market. Often, this is done so that the property can be converted to condominiums or tenancies in common.

In San Francisco, Ellis Act evictions spiked during the property boom of the early 2000s, peaking at 384 in 2000. Ellis evictions declined during the recession but are on the rise again. Between March 2012 and February 2013, Ellis evictions almost doubled, increasing from 64 to 116 — part of 1,700 evictions in the city overall during this period. Over 70 of the Ellis evictions were in the rapidly gentrifying Mission district.[58]

Even as it fails to truly provide affordable housing to low-income residents, federal affordable housing policy also contributes to the shrinking supply of housing for millions of people. Instead of anchoring long-term stability, affordable housing created through market-based federal policies too often comes with an expiration date. With project-based Section 8 housing built in the 1970s and early 1980s, for example, when the 20-year contracts (mentioned earlier) expired, landlords could choose — and have chosen — to convert to market-rate housing.[59] Housing built with low-income housing tax credits have 30-year affordability limits placed upon them, after which landlords can decide whether to keep the housing affordable by federal standards or convert to market.

Federal policy has also slashed the supply of affordable housing, through a combination of neglect and as the explicit outcome of policy. Public housing, which was neglected for

CHART 8: **DECLINE IN ASSISTANCE**



NOTES: VERY LOW-INCOME (VLI) RENTERS HAVE INCOMES BELOW 50% OF THE AREA MEDIAN. WORST CASE NEEDS ARE DEFINED AS HAVING GOVERNMENT HOUSING ASSISTANCE AND PAYING MORE THAN 50% OF INCOME FOR RENT OR LIVING IN SEVERELY INADEQUATE HOUSING, OR BOTH. SOURCES: US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, WORSTCASE HOUSING NEEDS REPORTS TO CONGRESS.

TABLE SOURCE: JOINT CENTER FOR HOUSING STUDIES OF HARVARD UNIVERSITY, *AMERICA'S RENTAL HOUSING-EVOLVING MARKETS AND NEEDS*, FIGURE 24, 2013.

Ms. Liu lives in Chinatown with her two sons and husband. Her landlord sold the building, and the new landlord is working to evict her and renovate the building. The family has lived in the apartment for eight years, but now the court has given them a year and a half to move out. They cannot find any affordable apartment in Chinatown, but her husband must live in Chinatown to work. He works at a Chinese restaurant in the suburbs, and the restaurant drops him off in Chinatown at 2 or 3 a.m. The family applied for public housing 9 years ago and is still waiting. Ms. Liu is afraid that if they cannot find housing in Chinatown, her husband will lose his job.

-Chinese Progressive Association, Boston, Massachusetts decades even as it provided the only real affordable housing for very low-income residents, has been demolished at an unprecedented rate across the country through the HOPE VI program. This has contributed to a massive net loss of housing for very low-income residents, most of whom now have to compete for housing in the private market. Between 2000 and 2008 alone, over 99,000 public housing units were lost, a rate of 11,000 per year.[60] Public housing loss continues at the rate of about 10,000 per year, largely due to a lack of funding to maintain existing units.[61]

Low-income populations are also more likely to live in older housing, much of which has been neglected for decades and is structurally unsound or unsafe in other ways. As a result, according to the Joint Center for Housing Studies, "these homes are most at risk of being demolished or otherwise permanently lost from the housing stock. Over the 10 years ending in 2011, 5.6 percent of all units available for rent were removed from the inventory."[62] While reforming affordability measures is vital, policy reform must take steps that allow vulnerable residents to remain in their homes and communities over the long term if they so choose.

In Milwaukee Black women make up 13 percent of the city's population but 40 percent of those evicted in 2010. Experts in Los Angeles and New York describe similar dynamics, also including Hispanic women, and these do not include women displaced or evicted due to foreclosure or women who move in with relatives, more run down apartments, or homeless shelters under the threat of eviction.

- Eric Eckholm, "A Sight All Too Familiar in Poor Neighborhoods," New York Times, February 18, 2010

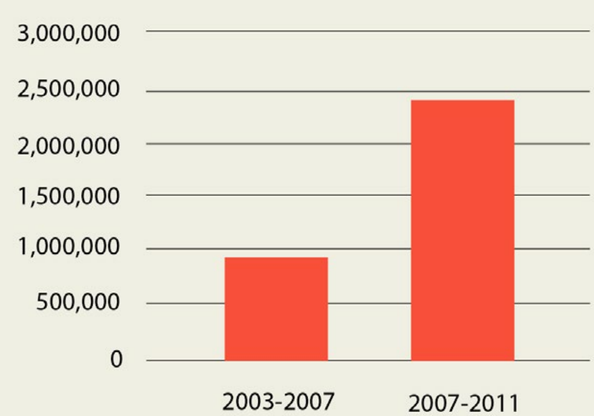
GAMBLING ON HOMES — AGAIN

Housing policy should be driven by housing needs, not investor profit. Yet, time and again, we see housing policies shaped by a stubborn faith in the private market. A particularly alarming extension of this logic in the wake of the housing market collapse is the swift and aggressive entry of private equity groups into the rental market. Blackstone Group and other firms, financed by a group of well-known banks (Deutsche Bank, JPMorgan Chase & Co., Goldman Sachs and Wells Fargo) see in the housing crisis a golden opportunity to translate foreclosures, the rise of the renter class, and widespread housing insecurity generally into profit.

The entry of these financial institutions into the rental market represents a major impediment to long-term housing security. Control over land use and housing policy needs to be democratized, not concentrated in the hands of the very same opaque and irresponsible financial bureaucracies that contributed to the economic collapse. Continued faith by policy makers in market-based solutions has created an "opportunity" for equity firms to profit from the availability of distressed homes across the country and increasing demand for housing that their own actions helped to create.[63]

Several factors have motivated institutional investors to enter the single-family rental market, but the overriding motive is the emerging profit opportunity the rising rental demand represents. The conversion of single-family homes from owner-occupied to rental tenure has ramped up in recent years, with more than 2 million such conversions from 2007 to 2011.[64]

CHART 9: **NET CONVERSION OF RENTAL FROM OWNER-OCCUPIED HOUSING**



NOTE: CONVERSION OF OWNER-OCCUPIED TO RENTAL HOUSING, 2003-2007 AND 2007-2011.

SOURCE: DATA PRESENTED IN JOINT CENTER FOR HOUSING STUDIES STATE OF THE NATIONS HOUSING 2013.

> We have learned through discovery in our members' eviction cases that one Boston-area corporate landlord increased its holdings from 150 to 500 units over the course of the foreclosure crisis. Buying up foreclosed homes at bargain prices padded its profit margin and allowed it to acquire even more buildings and grow into one of the biggest property owners in the Greater Boston area. These corporate landlords monopolize the rental market and drive up prices, abuse their tenants, and carry out mass no-fault evictions for profit.
>
> - Maria Christina Bianco, Organizer, City Life/Vida Urbana

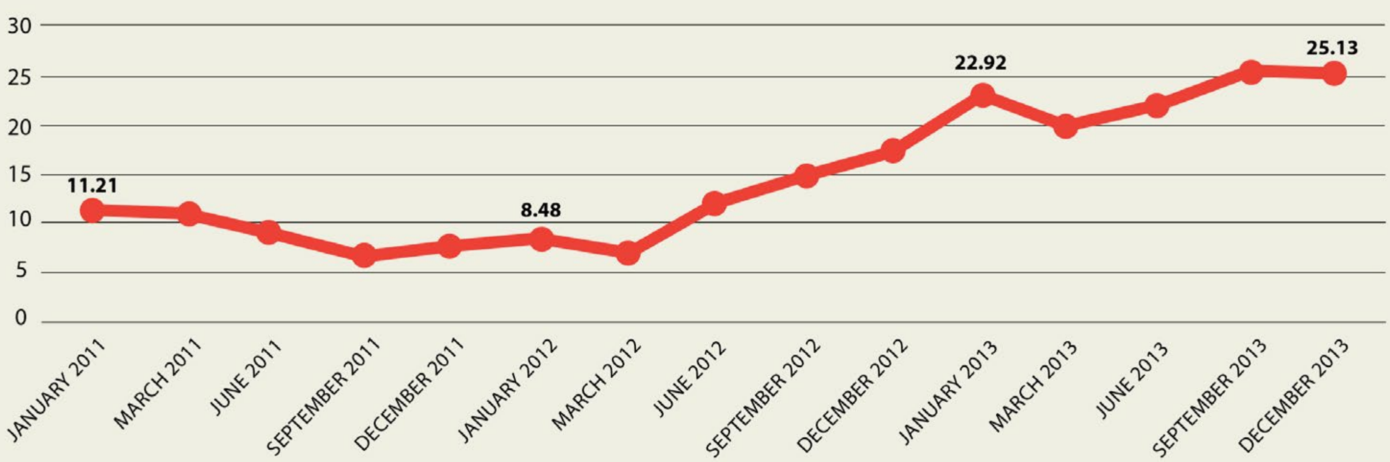
The growth of the rental demand has created a favorable environment for landlords, as millions of new renters enter the market. Low home prices and continued low interest rates mean that potential yields in the single-family rental market exceed those of 10-year Treasury bonds and other investments.[65] With large amounts of inventory under bank and government ownership, the foreclosure crisis has created the opportunity to consolidate the single-family rental housing market under the control of massive financial institutions.

Thus far, these private investors have undertaken an approach that entails descending on selected markets to undertake fast-paced, high-volume purchases that pick the market clean.[66] The entry of industry leaders such as Blackstone and Colony Capital into a market can create a herd-like movement of other firms also eager to invest. In Phoenix, the share of purchases of Real Estate Owned (REO) properties by large private investors rose from 16 percent in 2011 to 26 percent in 2012, while in Miami they were responsible for 30 percent of 2012 REO purchases.[67] The rising share of institutional investment in cities including Atlanta, Las Vegas, Phoenix, Riverside-San Bernardino and Sacramento was responsible for the price of distressed (REO) properties increasing by double digits in 2012, as well as large declines in REO stock in those areas.[68] In markets with high demand from institutional investors, rising REO prices have also started to impact the broader market, with lower-end homes increasing 15 percent in value in 2012 compared to only 6 percent in markets without rising shares of institutional investors.[69]

The entry of institutional investors poses a number of threats to housing security. Their ability to quickly penetrate and establish a large inventory in local markets means they may be able to corner the market and raise overall rents. Moreover, if shifting REOs to rental isn't viable as an income generator (rising acquisition prices cut into profits), the pressure for investors to flip property will grow, potentially creating another speculative cycle that could end in a bust, subjecting communities to yet another round of destabilization.[70] The bottom line is that the involvement of these investors is a major contributor to systematic housing instability.

CHART 10: **ATLANTA-AREA HOME PURCHASES BY INSTITUTIONAL INVESTORS**

JANUARY 2011 - DECEMBER 2013 (PERCENT)



NOTE: IN ATLANTA, ONE OF THE METROPOLITAN AREAS INSTITUTIONAL INVESTORS HAVE TARGETED MOST HEAVILY, HUSCH BUYSERS ACCOUNTED FOR 17-25% OF MONTHLY HOME PURCHASES IN 2013

SOURCE: DATA: REALITYTRAC, PRESENTED IN KLEIN, 2014.

SPECIFIC CONCERNS INCLUDE:

1. The impact of REO-to-rental on housing affordability, especially in the form of increased maintenance costs offloaded to renters.[71]
2. That conversion of formerly owner-occupied single-family homes to rental gives distant and unaccountable institutional investors unacceptable influence over local communities. Bloomberg News reported in December, for example, that Magnetar Capital LLC, a hedge fund, "had quietly bought 1 out of every 11 homes in the Ohio town of Huber Heights and then pushed for property-tax cuts that would have blown a hole in the school district's budget."[72]
3. The impact on housing costs and availability for low-income residents. In Tampa, for example, almost all of the properties owned by Blackstone subsidiary Invitation Homes are more expensive than the average Tampa rental.[73] Bloomberg reported in August 2013 that Blackstone and other corporate investors were turning away low-income tenants receiving government assistance.[74]
4. The potential risk involved in pursuing the securitization of rental cash flow.[75] Moreover, pricing risk on rent-backed securities would require long-term data on rent payments,[76] which could enroll unwitting tenants into alternative credit scoring mechanisms that might impact tenants' credit and future homeownership opportunities.

Given the role of these private institutions in destabilizing the economy more broadly, it is essential that policy makers move aggressively to curb their influence in the rental property market. Unfortunately, save for a few brave members of Congress, at present the political courage to take on the financial giants seems absent in Washington.

HEALTH, SUSTAINABILITY, AND HOUSING QUALITY

Housing must support the well-being of residents and their communities. Chronic stress over the ability to pay rent, fears of eviction, landlord harassment and retaliation, and personal safety chip away at people's health. For low-income residents, even housing that is stable and affordable may contribute to poor health, through exposure to indoor pollutants, contaminated water and pests and a lack of accessible green space. The strong and direct link between housing insecurity and health has long been known, only highlighting the injustice of perennial inaction.[77]

Housing for low-income people is disproportionately dangerous and unhealthy, due to aging and chronic underinvestment. For low-rent units nationally, 13.7 percent fail to meet the criteria for adequacy as defined by the American Housing Survey, compared with 9.8 percent of all rentals. Approximately 560,000 of the affordable units where extremely low-income households reside are structurally inadequate.[78] Research has shown that exposure to cockroach allergens, dust mites, and mice contribute to asthma among low-income inner city children, resulting not only in poor health, but also decreased school attendance.[79]

Because of high housing costs and racial segregation, low-income communities of color are also much more likely to be located in areas with high levels of pollution due to the proximity of industry, truck routes, freeways, and other sources of air pollution.[80] Exposure to certain common airborne toxins known to be hazardous tends to be highest for Hispanics and Blacks, when compared to whites.[81] Of 14 particulate components studied by Bell and Ebisu, Hispanic census tracts had higher levels of 11 substances, including nickel, nitrate and

Dansheeka Hall was one of the first people we met in our work to organize the tenants at the Hillside Apartments - two 45-unit buildings in East Oakland. Hillside's residents are primarily section 8 recipients and the building is one of the few large apartment buildings in Oakland that's covered by rent control. Dansheeka's two year old daughter's lung collapsed when she was only 14 months old. Dansheeka has been asking her landlord to address the mold in her unit for several months, the landlord didn't respond until after Children's Hospital in Oakland got involved. Her daughter was admitted to Children's Hospital and doctors had concerns about the living conditions and demanded that the property management relocate her family immediately. Dansheeka and her 3 small children were moved to another unit. After all of this, the City of Oakland still hasn't fined the landlord for the violations of the city's code.

–Causa Justa/Just Cause, Oakland, California

silicon, which are all linked to cardiovascular and lung disease. Census tracts with larger Asian populations had higher levels of seven substances, including nickel and nitrate, while those with predominantly Black populations had elevated levels of four, including zinc and sulfate.[82]

Improving the quality of low-income housing and implementing strict environmental standards would also have economic benefits for low-income households. Energy efficiency, for example, would lower utility costs for low-income households. Utilities are disproportionately burdensome on these households, constituting 18 percent of housing costs for renters earning less than $15,000 and 16 percent for those earning between $15,000 and 29,999.[83] Housing reforms must remedy the historic neglect of the health and well-being of low-income communities and make these central to future policy.

ACCESSIBILITY

ACCESS TO HOUSING

Within low-income populations, there are specific groups that are especially vulnerable to housing insecurity. Discrimination against LGBTQ communities, immigrants of all statuses, formerly incarcerated persons, and persons with disabilities creates additional burdens for these groups that must be addressed in housing policy.

Housing accessibility is a major concern for LGBTQ populations. LGBTQ youth are more likely to be homeless than the general youth population and, once homeless, are at higher risk for victimization and mental health problems.[84] Homeless LGBTQ youth are also more likely to be poor and to be people of color.[85] A national study of discrimination against transgender and gender non-conforming people, for example, found evidence of major barriers to safe and secure housing. Only 32 percent of respondents were homeowners, half the rate of the general population, and 42 percent reported being renters. Renters were concentrated in income groups between $10,000 and $50,000 annually. Nineteen percent of respondents in the study reported being denied a home or apartment because they were transgender or gender non-conforming, and 11 percent reported being evicted for this reason. Nineteen percent also reported becoming homeless at some point, and of those who attempted to access a homeless shelter, 29 percent were turned away, 42 percent were forced to stay in facilities designated for the wrong gender, and 55 percent reported being harassed.[86]

Immigration status (real and perceived) and national origin are also contributing factors to increased housing insecurity. A study by the National Council of La Raza and the Equal Rights Center found cases of housing discrimination in 42 percent of the Latino test subjects they sent to answer ads for rental housing, including housing agents being less willing or receptive to schedule an appointment with Hispanic testers than they were with their matched white testers and agents quoting higher fees, costs, and/or more extensive application requirements to Hispanic testers than to their matched white testers.[87] These findings were confirmed by a recent HUD study as well, which also found discrimination against Asians and African Americans.[88]

Researchers at the Southern Poverty Law Center report that Latino respondents in the South, 75 percent of whom are renters, experienced discrimination based on race, national origin and perceived legal status. Respondents reported landlords refusing to make repairs and imposing illegal rent and utility increases, threatening to call Immigration and Customs Enforcement if tenants complained. One respondent told the Center, "As soon as we show our face (to a landlord), they start asking for documents."[89] According to the Center, tenant laws are weak in much of the South, and there is little advocacy on behalf of immigrants related to Fair Housing Act issues. Housing advocates also note that undocumented immigrants are reluctant to complain because they are concerned their immigrant status will not be kept confidential.

More systematic attempts to deny undocumented people housing have also become common, through local anti-immigrant ordinances. Citizens of Fremont, Nebraska, voted in February 2014 to require proof of citizenship from anyone renting housing in the town. The original ordinance was passed in 2010 but put on hold while it underwent legal review. The Eighth Circuit Court of Appeals upheld the ordinance, which will likely end up at the U.S. Supreme Court.[90] While efforts such as these have had difficulty surviving court challenge, they indicate that on a day-to-day basis, Latinos of all statuses contend with barriers to accessing housing.[91]

A criminal record represents a major impediment to housing accessibility for many individuals in low-income communities. The disproportionate use of the criminal justice system against low-income people of color — and against Black people in particular — has created the conditions for long-term housing insecurity across broad sectors of the low-income population. Studies confirm that a criminal record adds to the already burdensome challenges that low-income people of color face in accessing housing. In addition to difficulties in finding employment and paying rent, formerly incarcerated individuals have high rates of health, mental health, and substance use problems, and treatment for these conditions is more easily accessible for those who have housing.[92]

An early example inscribed in federal legislation is the "one strike" law introduced during the Clinton administration through the Housing Opportunity Program Extension Act of 1996. Aimed at public housing residents, the law gave public housing authorities the ability to evict a tenant if they, a family member, or even a guest were convicted of criminal activity. The law also made families evicted ineligible for public housing for three years regardless of their role in or knowledge of the crime that led to their eviction. Although some jurisdictions have allowed leeway in implementation of the law, HUD has consistently upheld the most punitive interpretation.[93] Within six months of the law's passage, drug-related evictions from public housing increased 40 percent nationally.[94]

Other barriers to access also exist. In one recent survey by Consumer Action of community-based organizations from around the country, disability emerged as the most cited reason for why people had been discriminated against in their search for housing, followed by family status (having children), and race.[95]

ACCESS TO WORK AND SERVICES

Housing also needs to facilitate access to work, transportation, schools, and services. Housing for low-income communities is often underserved by affordable and efficient transportation, located far from places of work and social services, and isolated from other communities. The history of housing segregation in the United States is a history of isolating very poor communities. The return of investment and more affluent populations to urban centers over the past two decades has not brought relief. Low-income communities either do not benefit from the redevelopment that happens all around them, or they are displaced into increasingly poor and far-flung suburban areas.

Segregation of poor communities from places of work contributes to substantial hardships related to commuting. A Brookings Institute study found that after rent, transportation is often the second largest expense for working poor families, and that these families devote a higher portion of their household budgets to commuting than higher-income families. In many of the largest metropolitan regions, including Boston, Miami, New York, Washington D.C. and Los Angeles, the burden of commuting is greater than the national median.[96]

Low-income populations also have difficulty accessing social services, which often require long and costly commutes. Residents of low-income communities are less able to access these services than residents of more affluent areas. In his study of Chicago, Washington D.C. and Los Angeles, Scott Allard found that when compared to higher poverty areas, lower poverty areas had access to about 70 percent more employment service opportunities, about twice as many outpatient mental health services, and 25 percent greater access to basic needs services.[97]

The growing interest in transportation justice is a positive development, but there are concerns over whether efforts such as these will be adequate in addressing the legacy of residential segregation, particularly given the lack of progress in maintaining, much less expanding, the stock of genuinely affordable housing. What all of these examples reveal is that addressing issues of access to housing and services is an important, and often neglected, aspect of housing security.

Genuine and long-lasting solutions to our housing crisis require a fundamental shift that not only centers on the rising renter class, but that also deepens and expands how we think about housing security. Reforming how affordability is currently operationalized in policy is essential, but it represents only one pillar of a more comprehensive agenda that recognizes the reality of instability and insecurity in housing for a growing portion of the population. An agenda for housing that squarely addresses this reality must prioritize the right to decent housing and the right of low-income people in particular to stay in their communities.

COMMUNITY RESIDENTS GATHER TO DEMAND DIGNIFIED AND AFFORDABLE HOUSING, SPRINGFIELD, MA

POLICY RECOMMENDATIONS
TOWARD HOUSING SECURITY

The housing crisis remains with us because too many policy makers are unable to see beyond the market-based homeownership model and because housing provision continues to be dominated by powerful financial actors for whom housing is simply a commodity like any other. The contradiction between what we are told is a market rebound and an entrenched housing crisis reveals an important difference between viewing housing as a financial vehicle for profit and viewing it as a safe and secure home. Until policy rejects the former and embraces the latter, there will be chronic housing insecurity. This problem has been building for decades, but the need has never been greater for robust action by federal, state and local governments to address one of the greatest challenges facing the country.

An expanded role for the federal government in housing provision has been politically untouchable for far too long, contributing to the crisis in which we currently find ourselves. The ideology of the private market as the source of prosperity has become too deeply entrenched and the political influence of private interests too great to overcome. The grinding recession and disillusionment with both political parties have left many searching for real alternatives. It is clear that current approaches to housing reform and broader economic recovery are not working. Instead, we face levels of inequality we have not seen since the era preceding the Great Depression. Unlike the aggressive and sustained government response to that crisis, today's policy makers seem adrift, with little idea of what to do and little appetite for bold action.

The times, however, demand that we be ambitious, that we think and act big and plan for the long term, even as we continue the day-to-day fight for small victories. Smart campaigns and movements will synchronize long- and short-term goals and actions at the local, state and national levels. They will respond to people's needs and aspirations for decent, stable housing and transform these into routine policy and practice. If policy makers will not lead the way out of this crisis, the people must.

POLICY RECOMMENDATIONS
TOWARD HOUSING SECURITY

Housing security is within our grasp, but to realize it we need comprehensive institutional reform and improved policies whose aims are first and foremost to guarantee housing for all, not profit for some. Central to our approach (and based on our preceding analysis) is achieving four specific goals:

1. Create new measures of affordability and housing security
2. Expand and preserve genuinely affordable housing
3. Protect the rights of renters
4. Regulate speculation in the rental market

Some of these goals are best addressed at the federal level, some at the state and local levels, and some at all levels simultaneously. Effective policy solutions at all levels must take a housing security approach. In the absence of a Housing Wage[98] — the amount a person working full-time must earn to afford the fair-market rent on a two-bedroom unit without paying more than 30 percent of his or her income in rent — policy makers must address real reform of affordability measures and at the same time address accessibility, long-term stability and protection from displacement, health and housing quality, and community control.

We call on the federal government and state and local governments to implement the following policy solutions to the national housing crisis:

NATIONAL REFORM

REDEFINE AFFORDABILITY

Define affordability to reflect the economic reality of low-income communities.

1. REPLACE AREA MEDIAN INCOME WITH NEIGHBORHOOD MEDIAN INCOME

While affordability is not the only measure of housing security, immediate reform of the Area Median Income (AMI) standard for affordable housing would bring real relief to many low-income households. AMI covers an overly broad geographic area that includes very high-income neighborhoods and very low-income neighborhoods. Severe inequality and the hyper-concentration of wealth in major metro regions also renders overall median income a poor reference for determining affordability. The current AMI for New York City, for example, is over $85,000, skewed by wealthy suburbs and downtown areas. In Chinatown, however, the median income in 2009 was $41,254. Affordable housing (30 percent of income) for a household earning 60 percent of AMI ($51,000) would therefore absorb almost 40 percent of income for the average resident of Chinatown and similar low-income neighborhoods.[99]

Developing more fine-grained measures, such as a Neighborhood Median Income (NMI), would begin to provide more accurate measures of affordability and better inform policy. We recognize that NMI would not be a cure-all; it would not eliminate all distortions in how we measure affordability, but it would move us closer to more realistic assessment and a basis for defining housing affordability.

2. DEVELOP NEW MEASURES OF AFFORDABILITY THAT TAKE INTO ACCOUNT ALL LIVING COSTS

Affordability cannot be reduced to an isolated figure. As Michael Stone has argued, the most important measure of affordability is the overall economic burden that housing costs represent. Housing at 25 percent of household income for a very low-income household, which leaves too little for transportation to work, healthcare needs, or food, for example, is not affordable.

Housing affordability must be measured against total living costs, including transportation, healthcare, food, and education. One concrete way to advance the measure of affordability, for example, is to include transportation costs, often the second largest expenditure for lower-income households. Transportation costs are a way to take into account the historical and ongoing residential segregation of low-income communities of color, resulting in disproportionate costs for commuting and for accessing social services.
The Center for Neighborhood Technology suggests that

NATIONAL REFORM CONTINUED

affordability be calculated by combining housing and transportation costs, with a 45 percent ceiling for defining affordability.[100] Calculated using an adjusted measure of AMI, we see this approach as a necessary, though not sufficient, advance in relieving housing insecurity for lower-income communities.

EXPAND AND PRESERVE THE SUPPLY OF AFFORDABLE RENTAL HOUSING

The need for rehabilitation of many existing units and the substantial construction of new units is undeniable. The federal government must respond quickly and aggressively with a plan to meet the clear demand by people across the nation for decent and affordable housing now. The expansion of affordable housing must proceed in line with a new definition of affordability, and it must prioritize low-income households.

1. FULLY FUND THE NATIONAL HOUSING TRUST FUND

The National Housing Trust Fund was created by the Housing and Economic Recovery Act of 2008. It is the first bipartisan effort in over 30 years to allow for the expansion and preservation of affordable rental housing for low-income families — those making between 0 and 30 percent AMI. According to the Obama administration, for every $1 billion put into the Fund, 16,000 affordable rental units will be created.[101]

Funding the National Housing Trust Fund can be accomplished through the following:

a. Action by the Federal Housing Finance Agency to lift the suspension of contributions to the National Housing Trust Fund, retroactive to January 2012 when Fannie Mae and Freddie Mac became profitable again. This would ensure that over $761 million would go to the Fund.[102]

b. Reform the mortgage interest deduction, and address the imbalance between support for homeowners versus renters.

c. Ensure that HUD regulations for dispersal and usage of National Housing Trust Fund monies include the following:

- Priority for monies going to non-profit developers and/or community land trusts
- Access to marginalized populations, including formerly incarcerated individuals, undocumented immigrants, homeless people, people with disabilities, and LGBTQ populations
- Provisions to keep housing affordable for at least 99 years

2. CREATE A PUBLIC UTILITY TO CONTROL THE SECONDARY MARKET

This policy recommendation addresses the current discussions and proposals regarding Government-Sponsored Enterprises (GSE) Reform and the future of Fannie Mae and Freddie Mac.

A public utility (a government-owned corporation with a public purpose) would purchase mortgages and issue securities. This corporation would have no private shareholders and would return any excess earnings to the U.S. Treasury, much the way the Federal Reserve does. Thus, the billions in earnings would go to serve the public interest and not million-dollar executive salaries, bonuses, and profits for investors.[103] Since 2008, Fannie Mae and Freddie Mac have generated $213 billion, which they turned over to the U.S. Treasury.[104]

The fundamental goal of the public utility is to create a governance structure that provides public accountability to the primary mechanisms of the purchase, pooling, and securitization of mortgages. The utility would be prohibited from lobbying, as is the practice of Wall Street and big banks currently. Providing a government-controlled, centralized, and standardized channel through which most mortgages flow will reduce housing-market and systemic risks compared to a privatized market, where profit can be extracted by concealing rather than revealing underlying risks.[105] A public utility should do the following:

a. Generate funds to create and preserve affordable rental housing and support affordable homeownership by dedicating a portion of the revenue from the utility and placing a fee on all securitization activity. Using this revenue to fund the National Housing Trust Fund would be a priority.

NATIONAL REFORM CONTINUED

b) Ensure that a percentage of Real Estate Owned (REO) homes owned by the public utility be converted to affordable rental housing, by donating them or selling them at a discount to non-profit organizations and community land trusts.

3. PRESERVE EXISTING AFFORDABLE HOUSING

The continued loss of public housing and subsidized private sector housing must be reversed. At a time of housing crisis for low-income renters, the federal government must prioritize the preservation and upgrade of existing housing stock, specifically by:

a. Fully fund public and Section 8 housing repair and maintenance (voucher and project-based)

b. Ensure 1-for-1 replacement of any loss of public housing units or Section 8 housing (voucher and project-based)

c. Ensure renewal of project-based Section 8 units due to expiring contracts

ADDRESS RENTAL SPECULATION

For comprehensive coverage of rental speculation and our recommended solutions, see "The Rise of the Corporate Landlord: The Institutionalization of the Single-Family Rental Market and Potential Impacts on Renters and the Economy" at www.homesforall.org.

Actions by the financial sector that promoted speculation and fueled a destructive asset bubble must not be repeated. Government entities should not encourage or support speculators' entry into the rental housing market.[106] Further, there must be robust regulation of the rental market to prevent the kind of reckless speculation and resulting instability of the past decade. Regulation should be driven by the goal of maximizing housing security, not investor profit.

1. GARNER DATA AND INFORMATION ON THE SINGLE-FAMILY RENTAL MARKET

Given the thin precedent for an institutionalized, single-family rental market, a major and immediate priority is federal support for more extensive research on and monitoring of the impact institutional investors have on local rental markets and renters.

a. Provide public funding for research on the impact of investor activity: Beyond the REO Pilot Initiative, the federal government should support research on how investor activity affects local rental markets and renters, especially around issues of housing affordability, quality, security, stability, and access. Because many of the institutional investors involved in the REO-to-rental market are private equity players, the need for sunlight on this market is great. This is especially important because the REO-to-rental model has taken off most in the areas struggling to recover from the foreclosure crisis, making due caution and careful monitoring a key concern.

b. Offer greater transparency in the single-family rental market: The Federal Housing Finance Agency's REO Pilot Initiative has completed three bulk sales to date. However, the bid process in each case was sealed, and while the Initiative includes extensive reporting requirements for investors, the Agency has not provided updated information since November 2012. A 2013 audit by the Office of the Inspector General recommended improved oversight of the program.[107]

c. Promote information-sharing by the industry: Encourage the industry to share information about its practices and data to better inform the government on where and what type of regulation is needed.

2. REGULATE SINGLE-FAMILY HOME MARKET

Develop proactive regulation to promote the common good Lawmakers should also develop effective oversight and consider avenues for regulating an institutionalized single-family rental market. One place to start would be clarifying

NATIONAL REFORM CONTINUED

the federal role in regulating the single-family rental market, especially around concerns related to the securitization of rental income. Secondly, lawmakers should move to develop affordability requirements for these owners if research shows that large investors hamper rental affordability in local markets. Finally, regulators should undertake efforts to promote affordable and sustainable community ownership of distressed properties that enhances local control and wealth creation by keeping capital circulating within the community or city.

a. Clarify — and where necessary, create — a federal role in regulating the single-family rental market. While oversight for private rental housing is typically the responsibility of local and state government, REO-to-rental significantly changes the paradigm of this market. There is a need to clarify the role the federal government currently plays in regulating the market for single-family rental housing (beyond extant rules under the Fair Housing Act and the Section 8 program), and how it might open pathways for regulation at the local level. For example, single-family homes are frequently exempt from rent-control laws; moreover, in many places, state law preempts the possibility of rent regulations at the local level.

The Consumer Financial Protection Bureau, Department of Justice, and HUD all have a role to play in ensuring that corporate landlords do not violate federal fair housing and fair lending laws in tenant selection, eviction policies, disability access, property maintenance, etc. But there appears to be no agency that is providing oversight. The Bureau should evaluate whether it has the authority to intervene in this arena, where large corporations stand to have a substantial impact on a great number of consumers. If the Bureau has no authority to provide this oversight role, Congress should give it authority to do so or create another agency to fill that gap. In the interest of creating effective and efficient oversight of the private rental market, Congress should conduct field hearings to engage local government, housing advocates, and tenants in "feeding ground" cities and regions to gain a deeper understanding of where and how new regulations can intervene or existing policies be brought to bear in new ways.

b. Ensure affordability and accessibility of single-family rental housing. Affordability requirements should be put in place for institutional investor-landlords. These should be guided by rigorous, publicly supported research on the near- and longer-term impact the institutionalized, single-family rental market has on housing costs and accessibility for low- and moderate-income households.

Congress should conduct field hearings to engage local govern =ulations can intervene or existing policies be brought to bear in new ways.

c. Promote greater community control of housing and diversity of ownership structures. The REO-to-rental market should not only be a paradigm shift for investors; government should work to promote greater diversity of ownership and control over land and housing in order to prevent the dominance of potentially high-risk financial practices in the single-family rental market. Community land trusts and similar ownership structures are especially compelling, because they stake participants in their local communities while offering less vulnerability to foreclosure than traditional, individualized ownership.[108]

3. ENHANCE SUPPORT FOR TENANTS' RIGHTS TO REFLECT A CHANGING RENTAL LANDSCAPE

Because of concerns about housing quality, stability, and accessibility associated with the paradigm shift toward an institutionalized, single-family rental market, there is also a need for more robust support of tenant rights at the national level.

a. Create a national tenant clearinghouse to share industry data and discern broader patterns in tenant experiences.

NATIONAL REFORM CONTINUED

Given the wide-ranging geography of corporate landlords' investments in single-family rental housing, a major question about the REO-to-rental model moving forward is tenants' ability to hold potentially distant landlords accountable for housing conditions and related issues. Renters have started using consumer review sites like Yelp[109] and Zillow[110] to share their experiences with corporate landlords and warn other renters about issues with overcharges and difficulty resolving maintenance requests.

This suggests the utility of a national tenant clearinghouse where single-family renters can view data on industry practices regarding evictions, rent levels, and any history of discrimination.

We recommend a partnership between HUD and housing advocacy and organizing groups. This partnership could develop a clearinghouse to support tenants' rights and provide important documentation to help shape appropriate policies and regulations for the changing face of the single-family rental market.

b. Ensure a baseline of protections for tenants.
For example, the Protecting Tenants in Foreclosure Act should be extended; protections should include a private right of action, and the federal government should designate the Consumer Financial Protection Bureau as the agency to oversee this, develop any necessary regulations, and enforce its protections.

c. Rethink tenants' rights for the era of "big data."
With more lenders using big data to develop "predictive risk" credit ratings based on nontraditional payment histories such as rent and utility payments,[111] tenants should have the right to know and participate in how investor landlords like Blackstone use such data. Technical errors that mistakenly log on-time rental payments as late are not only inconvenient, but could create difficulties in accessing future housing, mortgage credit, and car loans. However consumers face ongoing difficulties in correcting errors in their credit histories, and credit rating agencies have no incentive to change this aspect of their business model.[112]

4. GENERATE RESOURCES TO SUPPORT LOWER-INCOME HOUSEHOLDS

Finally, policy makers should ensure that investors are not the only ones benefiting from the institutionalization of the single-family rental market. With the introduction of leverage, investors see single-family rental as a potentially $1.5 trillion opportunity.[113] Given the size of this market opportunity for investors, lawmakers should move to ensure that the public more broadly and renters, especially lower-income households, also benefit. This should be an especially high priority, because increased post-crisis rental demand has worsened the longstanding rental affordability crisis.[114]

Implement a financial transaction fee on rental bonds.
Without a significant burden on investors, instituting a small tax of perhaps 0.1 or 0.2 percent on rental bond transactions could create a significant amount of resources for the National Housing Trust Fund, which is targeted to rental housing and extremely low-income households but has not been fully funded since being established in 2008.[115]

LOCAL AND STATE REFORM

At the local and state levels, renters need greater protections and policies that strengthen their rights to affordable housing. One strategy that would be highly effective is implementing local and state Renters' Bill of Rights legislation.

A Renters' Bill of Rights is a package of policies that protect the renter class and seek to achieve an adequate supply of affordable rental housing. The desired outcomes would be increased affordability, accessibility, protection from displacement, housing quality, and community control.

We have developed a Homes For All Renters' Bill of Rights as a model that new and existing tenant organizations and advocacy groups can use to start or build upon their policy work. These policies draw from a rich history of tenants' and workers' advocacy movements. Some of the policies are well-established and based upon successful models, while others are new and rooted in evolving economic and social conditions.

While our Renters' Bill of Rights is presented as a comprehensive policy, individual policies within the package can be passed separately and may vary by locale or state based on current laws, context, and needs. We seek to build upon and modify these policy recommendations as new ideas and experiences are shared.

Starting on the next page, we provide a shortened version of our Homes For All Renters' Bill of Rights along with examples of model policies. The full document can be viewed at www.homesforall.org.

MEMBERS OF CITY LIFE/ VIDA URBANA AND DIRECT ACTION FOR RIGHTS AND EQUALITY RALLY AGAINST FORECLOSURES AND EVICTIONS

LOCAL AND STATE REFORM CONTINUED / RENTERS' BILL OF RIGHTS

HOMES FOR ALL RENTERS' BILL OF RIGHTS

SECTION 1: THE 5 POLICY PILLARS

New realities in the rental market require a more proactive role by the federal government in addressing the national housing crisis. At the same time, we recognize that there is still an important role for state and local governments to play in reforming rental housing policy. While the specifics of these reforms will in some cases vary by jurisdiction and region, if they are to have any meaningful and lasting impact, they must be grounded in the 5 Policy Pillars we discussed earlier.

Cities, counties and states should implement the following policies:

PILLAR #1: AFFORDABILITY

RENT CONTROL

a. Set maximum annual rent increases and maximum rents relative to new measures of affordability.

b. Provide clear legal avenues for tenants to dispute rent increases.

c. Implement vacancy control measures to prohibit the raising of rent upon vacancy of rent-regulated units.[116]

Model: San Francisco, Rent Ordinance[117]

SAFETY NET

Require that developers and investors receiving any type of city, county or state subsidy provide a reserve fund that creates a safety net for excessively rent-burdened tenants.

FAIR UTILITY COSTS

Require all units that receive any government funding or subsidy be energy- and resource-efficient, supporting a healthier environment and cost savings for renters.

NEIGHBORHOOD MEDIAN INCOME

Replace Area Median Income with Neighborhood Median Income.

PILLAR #2: ACCESSIBILITY

FAIR HOUSING

Affirmatively further fair housing, and ensure that landlords cannot discriminate against any tenant or prospective tenant based on immigration status, race, past incarceration, LGBTQ identity, HIV status, age or disability.[118]

BAN THE BOX

Eliminate background checks as a barrier to applying for housing; allow formerly incarcerated individuals access to housing.

DISABILITY RIGHTS

Ensure that design and construction of housing provides full accessibility, even where ADA may fall short.

LANGUAGE ACCESS

Require that all essential documents be provided in a tenant's native language. These documents would include leases, court papers, and notices. Interpretation should be provided for tenants in housing court and for instances where tenants are interacting with government agencies (i.e., reporting repair complaints or rent overcharges).

LOCAL AND STATE REFORM CONTINUED / RENTERS' BILL OF RIGHTS

JOBS, SOCIAL SERVICES, COMMUNITY INSTITUTIONS, AND SCHOOLS

Ensure that the location of housing that receives any government subsidy is in proximity to jobs and employment opportunities, social services and community institutions, fresh food, and educational institutions and opportunities — or that these can be accessed by affordable and efficient transportation.

PILLAR #3: STABILITY AND PROTECTION FROM DISPLACEMENT

RIGHT TO FIRST REFUSAL

Institute "right to first refusal" policy to require any housing unit to be offered to existing tenants first, before being sold or re-rented on the private market.[119]

FAIR LEASES

Require lease to be in common vernacular or explained in common vernacular, including all technical terms. Require landlords to provide renters with a copy of the lease and all addenda and to translate leases. Ensure that a written lease is not required to establish tenancy

JUST CAUSE EVICTION

Protect tenants within all residential properties in the city, county, and/or state. These ordinances should contain lists of "just causes" for eviction and legal rights of tenants who are faced with eviction, including a clear legal process for filing eviction petitions. Penalties for landlords who unjustly evict tenants must include fees and limited access to tax and other financial assistance.

Model: San Francisco, Just Cause for Eviction Ordinance[120]

FAIR RELOCATION

Establish relocation policies to ensure that any resident displaced as a result of a no-fault eviction, including building closure due to uninhabitable conditions or publicly funded development activity, receives just compensation and comprehensive relocation assistance.[121]

Model: San Francisco, Tenants' Rights to Relocation for No-Fault Evictions[122]

MORATORIUM ON EVICTIONS AND FORECLOSURES DURING TIMES OF CRISIS

Institute a moratorium on foreclosures and evictions during times of extreme crisis, as in the recession of 2008; establish clear criteria as to what constitutes a "crisis."

RIGHT TO RETURN/REPARATIONS:

Implement a right to return and reparations to prioritize a certain percentage of new affordable housing units for residents and families who were displaced due to publicly funded redevelopment projects. The new units should be in the same community or general area the residents were displaced from. Displaced residents should receive adequate compensation and relocation funds.[123]

Model: Hamtramck, Mich., Housing reparations for residents and families displaced by urban renewal[124]

FAIR AND PROACTIVE CODE ENFORCEMENT

Implement a proactive rental housing inspection policy to identify, document, and address any code violations in rental housing, in order to ensure that landlords maintain habitable conditions for tenants. Prioritize investor-owned properties, and assist owner-occupants and tenants to stay in their homes.[125]

Models: Washington, D.C., Columbia Heights tenant organizing and negotiations around negligent landlord and code enforcement activity;[126] *Los Angeles, Systematic Code Enforcement Program*[127]

PROGRAMS TO KEEP PEOPLE IN THEIR HOMES

Create and/or support existing homeowner and renter protection programs to assist low-income, longtime, and/or

LOCAL AND STATE REFORM CONTINUED / RENTERS' BILL OF RIGHTS

elderly renters and homeowners to stay in their homes and maintain habitable living conditions.

Models: Alameda County, California,. Alameda County Priority Home Partnership;[128] Philadelphia, Longtime Owner Occupants Program[129]

SUPPORT FOR VULNERABLE FAMILIES AND RESIDENTS

a. Coordinate prevention services among prevention agencies so that at-risk families and individuals know where to go to get help.

b. Enhance funding for anti-eviction support and/or legal services to help many more low-income tenants avert eviction, including through housing court, if available.

NO HARASSMENT

Prevent landlords from coercing tenants into leaving their homes due to negligence, intimidation, or buyout offers.[130]

ENFORCEMENT

a. Fully fund, staff, and proactively undertake enforcement efforts in order to ensure that policies achieve their intended impact.[131]

b. All policies that are part of the Renters' Bill of Rights must include penalties, fines, fees and/or incentives to address violations and noncompliance.

VACANT PROPERTY ACCOUNTABILITY

Require banks and vacant property owners to pay a significant cash bond to hold financial institutions accountable to maintain and secure vacant properties. Require banks to mediate with homeowners and tenants to seek all possible alternatives to foreclosure.

Model: Springfield, MA, Vacant Property Ordinance [132]

RIGHT TO INFORMATION

a. Require landlords to post and inform tenants about their rights. Track public investment at the neighborhood level, and use this information to improve equity in budgeting decisions.

Model: Portland, Or., Budget mapping initiative[133]

b. Create a publicly accessible regional database and map of neighborhood change, with information including property, demographic, and investment changes. This database could be critical in order to respond to gentrification in a timely and effective way.

Models: San Francisco Bay Area, Metropolitan Transportation Commission Early Warning Toolkit project;[134] Los Angeles,[135] Neighborhood Knowledge Los Angeles; and Portland, Ore., Interactive gentrification map[136]

PILLAR #4: HEALTH, SUSTAINABILITY, AND QUALITY

HABITABLE BUILDING CONDITIONS

Require landlords to keep housing units and all common areas of the building safe and in good condition (and in compliance with all housing and building codes). This should include but not be limited to keeping the premises safe and secure, free of rodents and pests, and free of lead and asbestos hazards; keeping the structure and facilities of the building in good repair; and ensuring adequate heat, hot and cold water, lighting, and ventilation.

NO POLLUTION

Ensure that housing is not built on or near any site that could be hazardous to people's health at any age. Environmental assessments must be done on all developments that receive public monies, and, whenever necessary, on other sites. If any contamination is found that is harmful to persons of any age, it must be removed and another environmental assessment done to verify that the site is safe.

GREEN SPACE

Ensure that housing that receives any government funding has green space or access to green space for use by tenants. Encourage and provide incentives for privately owned housing that receives no government funding to do the same.

LOCAL AND STATE REFORM CONTINUED / RENTERS' BILL OF RIGHTS

SUSTAINABLE DESIGN, CONSTRUCTION, AND OPERATIONS

Require all buildings and developments that use government funding to be designed to use natural resources effectively and to ensure the health of the residents and environment. Use green construction materials during operation and maintenance. Ensure that materials and cleaning supplies meet current best practices.

PILLAR #5: COMMUNITY CONTROL

COMMUNITY LAND TRUSTS, LIMITED-EQUITY HOUSING CO-OPS, AND OTHER COOPERATIVE LAND AND HOUSING ARRANGEMENTS

Support, resource, and prioritize the development of these community-based solutions.

Models: Boston, Dudley Street Neighborhood Initiative;[137] *Burlington, Vt., Burlington Community Land Trust;*[138] *Oakland, Calif., Oakland Community Land Trust*[139]

FIRST LOOK PROGRAMS

Ensure that, after owner-occupants, community land trusts and non-profits have the first opportunity to purchase land or property that has received some form of government funding or subsidy.

LIMITS TO SPECULATIVE INVESTMENT

Create penalties, including taxes and fees, for development or investment activities that focuses on profit generation without benefits to existing residents. Funds generated should go to community land trusts and non-profits to create or preserve affordable housing.[140]

LAND BANKS

Establish a land bank as a public authority created to efficiently handle acquisition, maintenance, and sale of vacant properties. Land banks will have clear, streamlined procedures to clear titles and acquire tax-delinquent properties without risking their sale to speculators and will transfer properties primarily to non-profits and community land trusts to create affordable housing. Land banks are a best practice that more than 75 governments have adopted, including those of Philadelphia, Cleveland, Louisville, Atlanta, and Genesee County, Michigan.

Model: Philadelphia, Philadelphia Land Bank Ordinance[141]

PARTICIPATORY PROCESS

Set strong standards for public engagement in land-use planning and development decision-making. Support community-based training for residents to participate in planning and development processes.

Model: Oakland, Calif., "Gearing Up for Action" curriculum (Pacific Institute)[142]

RIGHT TO ORGANIZE

Institute the right of renters to organize renters' associations and to hold meetings within their buildings. Prevent interference by landlords, and penalize landlords who interfere with these rights.

a. Ensure that renters have the right to withhold rent

b. Ensure that renters have the right to a fair judicial process and an attorney.

c. Ensure that landlords do not retaliate against renters for exercising any right of tenancy.

SECTION 2: ACHIEVING AN ADEQUATE SUPPLY

Although much of the institutional and financial framework for maintaining and expanding affordable housing must be established at the federal level, state and local governments also have a significant role to play. State and especially local governments are uniquely situated to ensure that federal policy implementation at the regional level is in line with the principles outlined in the 5 Policy Pillars and can enact important complementary and supportive policy as well. It is equally essential that local governments take the lead in ensuring that policy, whether federal, state, or local, contains mandatory requirements when appropriate — and clear, effective enforcement mechanisms. The preservation and

LOCAL AND STATE REFORM CONTINUED / RENTERS' BILL OF RIGHTS

expansion of affordable housing cannot be left to the voluntary actions of private market actors.

ASSESSMENTS

Regularly assess and make public the gap between existing and required affordable housing, and progress toward closing this gap .[143]

PRESERVATION

Preserve and upgrade existing affordable units.

Models: Chicago, Organization of the Northeast (ONE) preservation efforts;[1434] San Francisco, Assisted Housing Preservation Ordinance[145]

NO NET LOSS

Prevent net loss of overall affordable units.

Models: Portland, Or., Central City No Net Loss Policy;[146] Los Angeles, "Strategies and Lessons from the Los Angeles Community Benefit Experience."[147]

LIMITS TO CONDO CONVERSION

Limit the number and types of housing units that can convert from rental to for-sale condominium units within a given year.

Model: San Francisco[148]

HOUSING TRUST FUNDS

Create or augment existing housing trust funds that prioritize funding low-income, affordable rental housing as part of community land trusts and other cooperative land and housing arrangements.

Model: Columbus, Ohio, The Housing Trust [149]

INCLUSIONARY ZONING

Create and enforce inclusionary zoning to achieve the following:

a. Require affordability of units to include 50 percent AMI and below, as well as 30 percent AMI and below
b. Make policies mandatory and not voluntary whenever possible
c. Prioritize a percentage of affordable units and the land they are on to be owned and controlled by a non-profit and placed in a community land trust.

RENTAL SPECULATION REQUIREMENTS

Investors or any subsidiaries that purchase and/or own more than a specified number of single-family home rental units in a city, county or state have to set aside a set percentage as affordable housing and:

a. Prioritize a percentage of the required affordable units to be owned by a non-profit and placed in a community land trust
b. Require affordability to reach 50 percent AMI and below, as well as 30 percent AMI and below
c. Make policies mandatory and not voluntary whenever possible

FAIR SHARE

Ensure that large corporations and investors pay their fair share by exacting fees and taxes including:

a. Transfer tax/flip tax: Establish transfer taxes, increase existing ones, and/or add incremental increases to those of high-end residential properties. Revenue from this source would be earmarked specifically for affordable housing to reach 50 percent AMI and below, as well as 30 percent AMI and below.

b. Non-occupancy tax: Wealthy buyers from out of town and/or foreign countries are increasingly purchasing properties — often high-end luxury condos — as investment properties, with no plans to ever live in them and contribute to the tax base of the city, county, and/or state. Government should aggressively tax all buyers who are non-occupants of these apartments. The city should establish strict occupancy requirements and tax these buyers at progressively higher rates the longer they do not live in the properties they own.

c. Property tax reform: Reform the property tax system and create a more equitable system. Relevant agencies should review taxes on multiple-rental dwellings, particularly buildings for low- and moderate-income households and seniors, and tax vacant land to incentivize affordable

LOCAL AND STATE REFORM CONTINUED / RENTERS' BILL OF RIGHTS

housing development and disincentivize "holding or buying low and selling high for speculative or luxury development."

Model: New York, Real Affordability For All Policy Platform[150]

VACANT PROPERTY CONVERSION

Use eminent domain, land banks, bank donations and/or other methods to acquire vacant properties to then be transferred to community land trusts and non-profit organizations and converted to affordable housing.

SPECIAL ZONING DISTRICTS

Create special zoning districts with policies aimed at preserving and creating affordable units and preventing displacement of residents and locally owned small businesses.

Model: New York, Chinatown Special Zoning District[151]

PUBLIC BANKS

Create public banks that finance and support the preservation and expansion of low-income, affordable housing.

CALL FOR ACTION

For too long, millions of people in this country have struggled to find and hold onto housing. The foreclosure crisis brought this issue to the attention of the wider public, but much of this attention is focused on middle-class homeowners. The devastation suffered by homeowners, and disproportionately by people of color, is undeniable and deserves attention. But as we have shown here, the underlying housing crisis is really a renters' crisis: both the population of low-income people who will likely always be renters, and former homeowners, many of whom were renters before the housing boom and are now renters again. Despite growing awareness of renters' struggles, policy and public debate lag behind the reality, and solutions remain firmly embedded in the homeownership model and faith in market-based solutions.

The rise of the renter nation has many challenges, but also provides us with another opportunity to fulfill the promise of the Housing Act of 1949. Current approaches show little if any promise of moving us closer to its goal of decent housing for all, despite widespread recognition that safe and secure homes anchor communities and are essential for wider economic recovery. The agenda for genuine housing security presented here represents the experiences and knowledge of low-income communities across the country. Not only are these the very same communities that have borne the brunt of the recent economic collapse, they have lived with housing insecurity and its consequences for decades. This report is their call for action and an agenda that can move us toward the goal of a safe and decent place to call home for everyone.

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APPENDIX 1

TABLE 1: TOP 25 POPULATED U.S. CITIES

2013 rank	City	State[s]	2013 estimate
1	New York	New York	8,405,837
2	Los Angeles	California	3,884,307
3	Chicago	Illinois	2,718,782
6	Phoenix	Arizona	1,513,367
7	San Antonio	Texas	1,409,019
8	San Diego	California	1,355,896
9	Dallas	Texas	1,257,676
10	San Jose	California	998,537
11	Austin	Texas	885,400
12	Indianapolis	Indiana	843,393
13	Jacksonville	Florida	842,583
14	San Francisco	California	837,442
15	Columbus	Ohio	822,553
16	Charlotte	North Carolina	792,862
17	Fort Worth	Texas	792,727
18	Detroit	Michigan	688,701
19	El Paso	Texas	674,433
20	Memphis	Tennessee	653,450
21	Seattle	Washington	652,405
22	Denver	Colorado	649,495
23	Washington	Columbia	646,449
24	Boston	Massachusetts	645,966
25	Nashville	Tennessee	634,464

SOURCE: HTTP://EN.WIKIPEDIA.ORG/WIKI/LIST_OF_UNITED_STATES_CITIES_BY_POPULATIONS

TABLE 2: RENTERS IN TOP 25 POPULATED U.S. CITIES AS WELL AS HOMES FOR ALL MEMBER CITIES

CITY	Total Renters 2012 (%)
Atlanta, GA †	56.3
Austin, TX*	55.3
Boston, MA*†	66.8
Charlotte, NC*	45.7
Chicago, IL*	55.6
Cincinnati OH†	62.7
Columbus, OH*†	54.7
Dallas, TX*	57.7
Denver CO*†	52.5
Detroit, MI*	50.1
El Paso, Tx*	41.7
Fort Worth, TX*	43.3
Grand Rapids,MI†	45.4
Houston, TX*	55.9
Indianapolis, IN*	46.7
Jacksonville, FL*	40.1
Los Angeles, CA*†	63.2
Memphis, TN*	49.9
Miami, FL†	67.7
Minneapolis, MN†	51.7
Nashville-Davidson, TN*	46.8
New York, NY*†	68.3
Oakland, CA†	60.7
Philadelphia, PA*	47.8
Phoenix city, AZ*	47.1
Poughkeepsie NY†	59.2
Providence RI†	65.7
San Antonio TX*†	45
San Diego, CA*	53.3
San Francisco, CA*†	64
San Jose, CA*	43.8
Sante Fe NM†	41.7
Seattle, WA*†	54.1
Springfield MA†	52.5
St Louis, MO†	55.7
Washington, DC*	58.5
NATIONAL AVERAGE	**36.1**

SOURCE: U.S. CENSUS BUREAU; 2012 AMERICAN COMMUNITY SURVEY.

* top 25 largest cities

† Homes For All partner

APPENDIX 2

TABLE 3: HOUSING COST BURDEN FOR RENTERS IN SELECTED CITIES

CITIES	Total Cost Burden	Moderate Burden	Severe Burden
Atlanta, GA †	49.93%	21.67%	28.25%
Austin, TX*	49.72%	23.69%	26.03%
Boston, MA*†	48.59%	22.10%	26.49%
Charlotte, NC*	48.90%	23.14%	25.76%
Chicago, IL*	50.64%	22.59%	28.05%
Cincinnati OH†	51.30%	22.15%	29.15%
Columbus, OH*†	47.86%	22.87%	24.99%
Dallas, TX*	45.42%	23.22%	22.20%
Denver CO*†	47.43%	22.93%	24.50%
Detroit, MI*	59.69%	20.57%	39.13%
El Paso, Tx*	47.46%	26.84%	20.62%
Fort Worth, TX*	48.34%	24.13%	24.21%
Grand Rapids,MI†	56.05%	25.14%	30.91%
Houston, TX*	47.49%	23.50%	23.99%
Indianapolis, IN*	51.55%	24.76%	26.79%
Jacksonville, FL*	52.53%	25.57%	26.96%
Los Angeles, CA*†	58.44%	25.73%	32.71%
Memphis, TN*	56.30%	24.66%	31.64%
Miami, FL†	62.94%	26.74%	36.20%
Minneapolis, MN†	49.31%	23.19%	26.12%
Nashville-Davidson, TN*	49.11%	23.77%	25.34%
New York, NY*†	51.35%	22.97%	28.38%
Oakland, CA†	53.15%	23.58%	29.56%
Philadelphia, PA*	52.74%	21.27%	31.47%
Phoenix city, AZ*	49.59%	24.74%	24.85%
Poughkeepsie NY†	58.74%	21.22%	37.53%
Providence RI†	51.34%	21.42%	29.93%
San Antonio TX*†	46.04%	23.15%	22.90%
San Diego, CA*	52.94%	26.23%	26.71%
San Francisco, CA*†	44.33%	21.72%	22.62%
San Jose, CA*	50.94%	24.09%	26.85%
Sante Fe NM†	53.04%	22.30%	30.74%
Seattle, WA*†	45.66%	24.23%	21.42%
Springfield MA†	58.09%	23.53%	34.56%
St Louis, MO†	53.52%	23.77%	29.75%
Washington, DC*	46.47%	22.51%	23.95%

SOURCE: U.S. CENSUS BUREAU; 2012 AMERICAN COMMUNITY SURVEY.

* top 25 largest cities

† Homes For All partner

APPENDIX 3

TABLE 4:
TOTAL PERCENTAGE OF RENTERS IN SELECTED CITIES BY RACE AND HISPANIC ORIGIN

CITY	Black or African American	Asian	Non-white Hispanic or Latino
Atlanta, GA †	56.5	3.7	5.1
Austin, TX*	9.1	6.1	29.8
Boston, MA*†	25.4	10.3	19.4
Charlotte, NC*	43.6	4.9	12.8
Chicago, IL*	37.4	6.6	20.8
Cincinnati OH†	52.3	2.3	2.6
Columbus, OH*†	31.6	4.7	5.7
Dallas, TX*	31.9	4	30.6
Denver CO*†	10.7	3.1	25.6
Detroit, MI*	84.6	0.6	5.6
El Paso, Tx*	6	1.8	71.5
Fort Worth, TX*	26.6	3.5	23.7
Grand Rapids,MI†	25.3	2.9	15.7
Houston, TX*	30.9	6.2	36.6
Indianapolis, IN*	38.3	2.4	10.3
Jacksonville, FL*	39.1	3.5	9.3
Los Angeles, CA*†	13.2	12.9	40.7
Memphis, TN*	67.6	1.3	6.4
Miami, FL†	20.1	1	67.7
Minneapolis, MN†	24.6	5.9	9.1
Nashville-Davidson, TN*	35.1	2.5	10.3
New York, NY*†	25.8	10.2	30.6
Oakland, CA†	34.1	15.4	20.9
Philadelphia, PA*	46	5.4	12.2
Phoenix city, AZ*	10.5	3.9	35.9
Poughkeepsie NY†	36.8	1.6	19.6
Providence RI†	17.6	5.2	40.4
San Antonio TX*†	11.4	2.5	56.8
San Diego, CA*	8.9	12.8	34.7
San Francisco, CA*†	6.7	23.6	13.3
San Jose, CA*	5.2	28.8	34.7
Sante Fe NM†	1.4	1.8	38.5
Seattle, WA*†	9.2	11.7	7.5
Springfield MA†	23.6	2	53.2
St Louis, MO†	54.4	3.6	3.5
Washington, DC*	49.9	3.1	9.1
NATIONAL AVERAGE	19.3	4.9	18.2

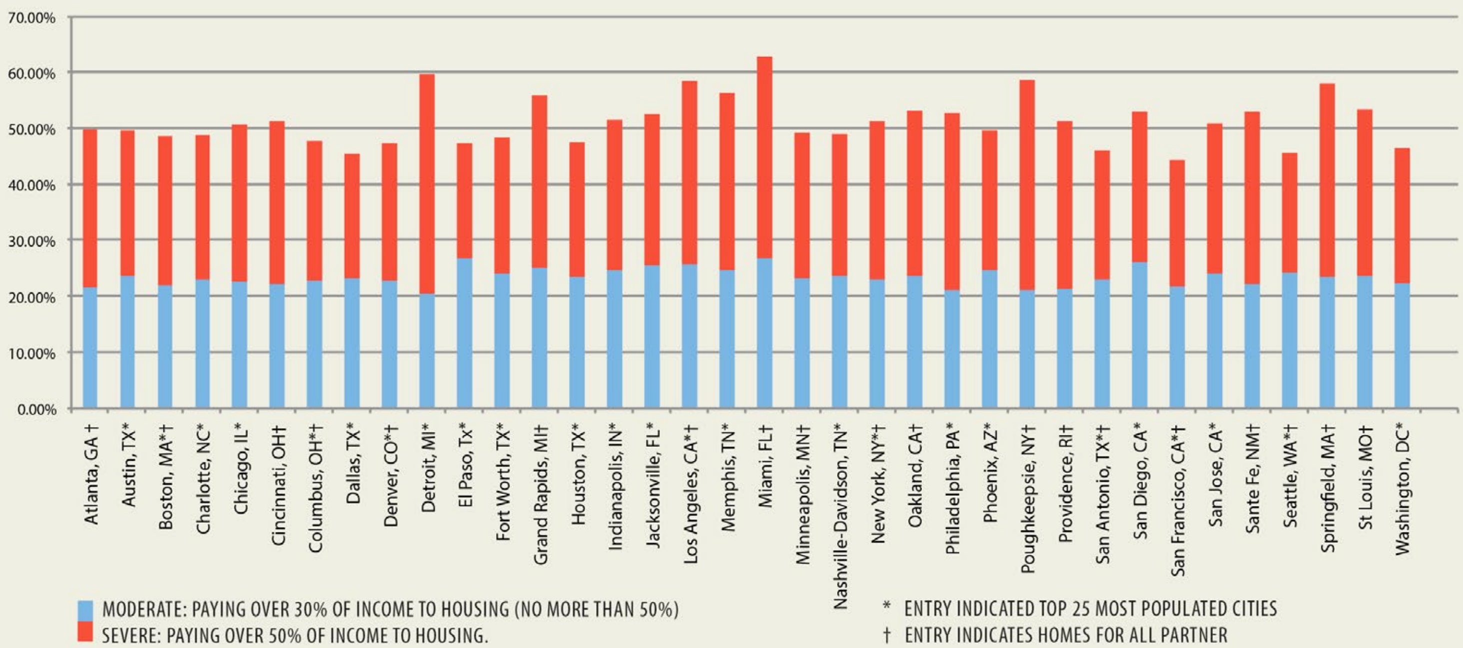
SOURCE: U.S. CENSUS BUREAU; 2012 AMERICAN COMMUNITY SURVEY.

* top 25 largest cities

† Homes For All partner

APPENDIX 4

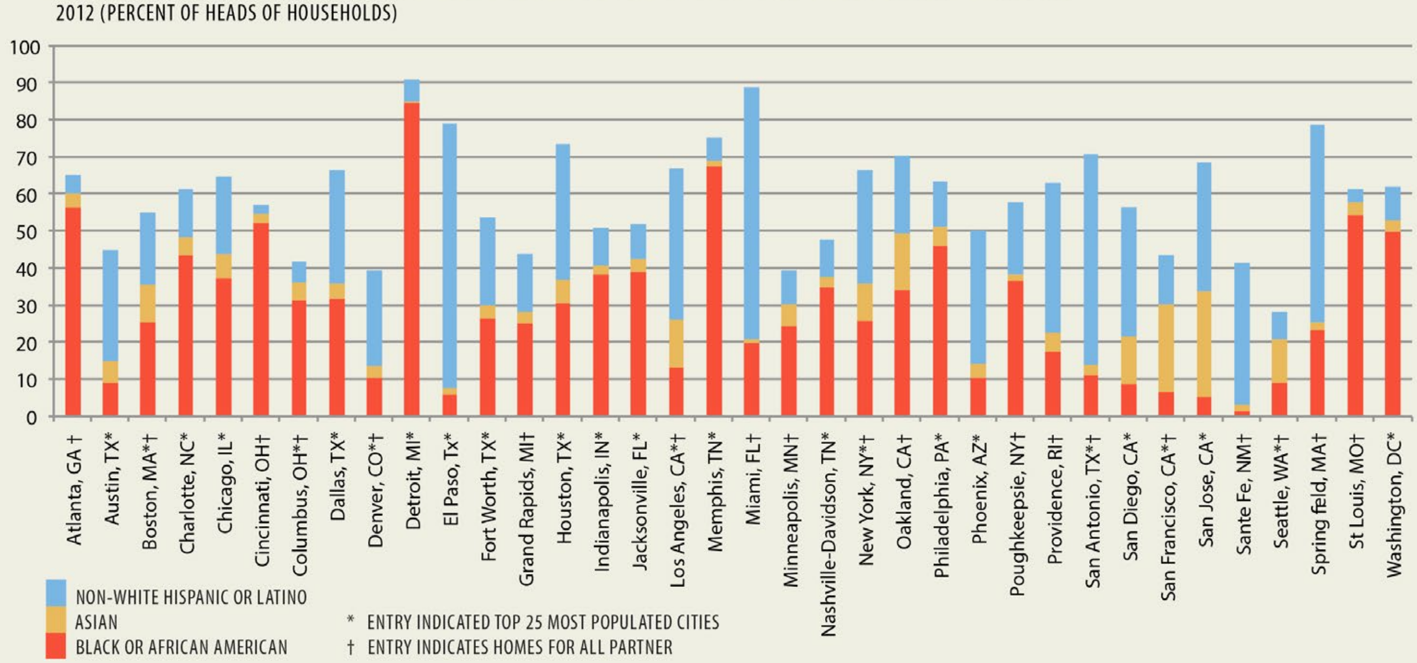
CHART 2: **HOUSING-COST BURDEN FOR RENTER IN SELECTED CITIES 2012**
(PERCENT OF HOUSEHOLDS)



SOURCE: U.S. CENSUS BUREAU, 2010-2012 AMERICAN COMMUNITY SURVEY CREATED BY SARA HECK

(CHART 2 CONTAINS DATA FROM TABLE 3 IN APPENDIX 2)

CHART 7: **TOTAL RENTERS IN SELECTED CITIES BY RACE AND HISPANIC ORIGIN**
2012 (PERCENT OF HEADS OF HOUSEHOLDS)



SOURCE: U.S. CENSUS BUREAU, 2010-2012 AMERICAN COMMUNITY SURVEY CREATED BY SARA HECK

(CHART 7 CONTAINS DATA FROM TABLE 4 IN APPENDIX 3)

APPENDIX 5

HOMES FOR ALL PARTNERS AND ENDORSERS

LOCAL PARTNERS

Atlanta, Georgia: Occupy Our Homes Atlanta

Boston, Massachusetts: Chinese Progressive Association, City Life/Vida Urbana, RTC Boston

Cincinnati, Ohio: The People's Coalition for Equality and Justice

Columbus, Ohio: Bottoms Up

Denver, Colorado: Colorado Progressive Association

Grand Rapids, Michigan: Well House

Los Angeles, California: East LA Community Corporation, Strategic Actions for a Just Economy, Koreatown Immigrant Workers Alliance

Miami, Florida: Miami Worker Center, Community Justice Project of Florida Legal Services

Minneapolis, Minnesota: Occupy Our Homes MN, Neighborhoods Organized for Change

New York, New York: CAAAV Organizing Asian Communities, Metropolitan Council on Housing

Poughkeepsie, New York: Nobody Leaves Mid-Hudson

Providence, Rhode Island: Direct Action for Rights and Equality

San Antonio, Texas: Esperanza Peace and Justice Center

San Francisco/Oakland, California: Causa Justa :: Just Cause, Mission SRO Collaborative

Sante Fe, New Mexico: Chainbreaker

Springfield, Massachusetts: Springfield No One Leaves, Arise for Social Justice

Seattle, Washington: Standing Against Foreclosures and Eviction

St. Louis, Missouri: Missourians Organizing for Reform and Empowerment

NATIONAL AND STATE PARTNERS AND ENDORSERS

National Low-Income Housing Coalition*

Alliance for a Just Society

Architects/Designers/Planners for Social Responsibility

Campaign for a Fair Settlement

Center for Story-based Strategy

Grassroots Global Justice

Home Defenders League

Jobs with Justice

Leadership Center for the Common Good

Movement Generation

National Domestic Workers Alliance

National People's Action

Rainforest Action Network

Ruckus Society

Service Employees International Union (SEIU)

Statewide:

Colorado Progressive Coalition*

Virginia New Majority

Florida New Majority

*National or State Partner

For more information on Homes For All participating organizations:

www.homesforall.org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Gentrifying
MY COMMUNITY
SOMOS
WYVERNWOOD
Historia
Familia
Cultura


We Can't
Wait for Home
Any Longer


Seniors
Can't Wait
For Housing


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·Boiler
·Plumbing
·Mailboxes
·Roof
·Surveillance
Cameras


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