

# U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) HOUSING RECOVERY POLICY RECOMMENDATIONS

## HUD SHOULD:

1. Take immediate action to ensure survivors with the greatest needs have access to safe, decent homes while they get back on their feet by:
  - a. Quickly entering into an Interagency Agreement with the Federal Emergency Management Agency (FEMA) to activate the Disaster Housing Assistance Program (DHAP) to provide low income survivors with direct, longer-term rental assistance and case management services provided by local housing professionals. DHAP plays a critical role in providing safe, decent, and affordable homes to some of our nation's most vulnerable individuals and families after a disaster. DHAP has been widely upheld as a best practice by past Democratic and Republican administrations.
  - b. Preparing to stand up a DHAP program to administer direct rental assistance and case management services.
  - c. Work with FEMA to ensure that people experiencing homelessness prior to a disaster are eligible for the same emergency shelter and housing recovery resources available to impacted renters.
2. Provide oversight to ensure that disaster recovery resources are used to address the full breadth of housing needs for the homeowners, renters, and people experiencing homelessness prior to the disaster by:
  - a. Providing disaster recovery resources directly to large municipalities (more than 100,000 in population) – in addition to state governments - that have the capacity to manage such funds. This will help avoid bureaucratic delays that inevitably result when there are multiple layers of sub-allocations at the state level. HUD must ensure, however, that compliance with federal fair housing and civil rights laws is a condition of eligibility for these funds.
  - b. Maintaining the requirement that states and communities receiving federal disaster recovery funds submit and post online a rebuilding plan with a Spanish (and/or other locally predominant language) translation to HUD for approval that includes meaningful opportunities for public comment, including a public hearing;
  - c. Requiring states to demonstrate to HUD that they are adequately addressing the needs of homeowners, renters, and people experiencing homelessness with their CDBG-DR allocation and other resources as a condition for receiving funds. This should be made available to the public.
  - d. Providing CDBG-DR grantees with data on neighborhoods and populations with the greatest unmet housing needs after the disaster and requiring grantees to demonstrate that they are meeting these needs. HUD should make this data publicly available;
  - e. Requiring states to track and report to HUD and make publicly available the completion status of all homeowner and rental units that receive federal recovery assistance;
  - f. Requiring grantees to disaggregate data by race, income, geography, and other factors and to make data transparent and publicly available.
  - g. Requiring states to submit for HUD approval and post online with a Spanish (and/or other locally predominant language) translation performance goals for the recovery of homeownership and rental housing programs, including goals for processing applications,

beginning construction, and completion. Performance goals should be made available to the public; and

- h. Providing ongoing technical assistance to state and local governments administering CDBG-DR, to local field office staff that work with grantees, and to CDBG-DR sub-recipients.
3. Provide housing assistance at a sufficient level to allow individuals to access safe, quality, affordable and accessible housing in locations where they can reconnect with family and community by:
- a. Issuing guidance stating that people who were experiencing homeless at the time of the disaster are eligible for disaster recovery resources;
  - b. Ensuring that individuals experiencing homelessness prior to the disaster have access to the same disaster relief assistance as those who were renting their homes prior to the disaster;
  - c. Clarifying that owners of manufactured housing are eligible for assistance and creating a plan for reaching them;
  - d. Adjusting fair market rents and/or payment standards as needed to ensure that displaced households receiving disaster vouchers can be rehoused quickly;
  - e. Reissuing clarifications to Notice H4-22 provided in a September 9, 2005 memorandum that provided information to owners of federally subsidized housing developments on tracking displaced tenants, waiting list priority, and vacant units;
  - f. Requiring HUD grantees to stop passing or enforcing laws which criminalize people experiencing homelessness for self-sheltering or conducting other life-sustaining behaviors in public places when there are inadequate alternatives;
  - g. Ensuring that homeowners and owners of rental housing developments with federally financed mortgages and loans, including those financed by the Federal Housing Administration, have access to longer mortgage forbearance periods, fair repayment terms, and resources to stabilize properties in the near term;
  - h. Providing immediate operational and capital resources to homelessness and domestic violence emergency shelters and transitional housing programs and facilities, and housing resources to quickly re-house vulnerable families and individuals who have been displaced multiple times;
  - i. Basing grant amounts on the cost to replace or repair damaged property rather than property values to help close financing gaps and to protect households that live in neighborhoods where property values are less than the cost of repairs and replacement; and
  - j. Coordinating closely with the Government Sponsored Entities, the Federal Housing Administration, Department of Veterans Affairs, and the Department of Agriculture to establish uniform disaster relief protocols for mortgage servicers.
4. Ensure that the civil rights of survivors are protected by:
- a. Working with state and local governments to ensure that messages about available assistance reach all hard-to-serve populations, including those with limited English proficiency, criminal history, and those who are blind or have impaired vision and who are deaf or hard of hearing. Communications should be accessible, both programmatically and physically, to lower-income and special needs populations and historically underserved communities;
  - b. Requiring all grantees to complete a language assessment within the first 90 days and to submit to HUD for approval to ensure that all communications be made accessible to individuals with limited English proficiency or who are blind, deaf, or hard of hearing. After

past disasters, language assessments were completed after critical communications were made.

- c. Preventing discrimination after disasters by requiring HUD grantees to fund qualified Fair Housing Enforcement Organizations to educate housing providers and households about their fair housing rights and responsibilities, take in, investigate, and resolve complaints of discriminatory practices, and monitor trends in affected markets to proactively identify and stop discriminatory home sale and rental practices.
5. Ensure that housing, infrastructure, and economic development recovery efforts reach everyone in need and mitigate – rather than worsen – housing segregation by:
- a. Providing guidance and technical assistance to state and local agencies planning rebuilding efforts to ensure compliance with their legal obligation to Affirmatively Further Fair Housing and avoid delays;
  - b. Repairing or rebuilding federally subsidized rental housing in a manner that is consistent with HUD's Affirmatively Furthering Fair Housing guidance to ensure fair housing choice. Investments should be made in a manner that fosters affordable housing in high-opportunity neighborhoods, preserves existing affordable housing, and directs needed infrastructure improvements to communities in which it is lacking. All investment should be made in a manner that prevents displacement and provides impacted residents with the choice to stay in their existing communities or relocated to other desired locations;
  - c. Ensuring that rebuilding plans address the infrastructure needs of all communities fairly, so that communities with inadequate infrastructure before the disaster emerge from the recovery process with an equitable level of infrastructure (roads, bridges, drainage, etc.) that will enable them to better weather future storms;
  - d. Rejecting any proposed recovery plans that fail to put forth a balanced approach of mobility and place-based investment;
  - e. Working with state and local government and local community organizations to conduct robust outreach to landlords in higher opportunity areas to increase housing choice and combat discrimination against displaced, low income individuals;
  - f. Working with state and local governments to conduct robust outreach to absentee and other landlords in distressed communities to incentivize responsible repair and restoration and to ensure compliance with fair housing laws; and
  - g. Adjusting any current AFFH activity, as required by regulation, to ensure that changes resulting from the disaster are accounted for in the AFH submission and are accurately reflected in any updates or revisions to consolidated and Public Housing Authority plans.
6. Preserve public housing resources and protect residents of public housing by:
- a. Developing a plan to track current public housing residents while rebuilding occurs to ensure that they have access to reconstructed units; and
  - b. Preventing excessively restrictive tenant screening provisions that would unfairly prohibit residents from returning to reconstructed public housing units.
7. Expand contracting and employment opportunities to disaster survivors by encouraging recovery efforts to employ local, low income residents to the greatest extent possible by:
- c. Using Section 3 as a tool to address likely labor shortages after disasters. Section 3 was enacted by Congress to ensure that recipients of certain HUD financial assistance, to the greatest extent feasible, provide job training and employment opportunities to low- or very low-income residents and contract opportunities to small businesses in connection with projects and activities in their neighborhoods. HUD should clearly emphasize to public

housing agencies and local jurisdictions the importance of carrying out their statutory obligations;

- d. Revising and improving Section 3 to make the program more effective, including eliminating the current “new hire” definition. Instead, a different standard for meeting Section 3 goals should be utilized: for each job category, Section 3 residents should be working at least 30% of the total number of hours worked by all employees in that job category;
- e. Establishing protocols for setting contracting and hiring goals and publicly reporting progress toward those goals;
- f. Working with state and local governments and organizations serving impacted communities to develop community outreach and multilingual marketing of contracting and job opportunities; and
- g. Establishing workforce training and small business technical assistance on securing government contracts.

For More Information, contact Diane Yentel, NLIHC President and CEO ([dyentel@nlihc.org](mailto:dyentel@nlihc.org)) or Sarah Saadian, NLIHC Vice President of Public Policy ([ssaadian@nlihc.org](mailto:ssaadian@nlihc.org)).

