

**STATUS REPORT
RESOLUTIONS ADOPTED AT THE
OCTOBER 2015 BOARD MEETING**

HOUSING COMMITTEE

Funding All Housing Commitments

Resolution: Be it resolved, NAHRO supports ensuring that the federal government fully honors its funding commitments for all existing housing programs.

Be it further resolved, NAHRO staff is directed to explore opportunities for partnership with other interested constituencies working on efforts to stabilize and preserve rural housing programs.

Status: NAHRO staff are waiting for appropriations bills for FY 2017 to determine whether USDA Section 521 contracts will be renewable before the end of a 12-month period. If proposed appropriations bills continue to limit renewals for Section 521 contracts, NAHRO staff will reach out to rural housing organizations, like the Housing Assistance Council, to determine steps forward so that recipients of Section 521 payments do not absorb losses again.

Over-Income Tenants Policy

Resolution: Be it resolved, NAHRO recommends revising policies relating to continued occupancy by over-income households in public housing to:

- 1) set a threshold for over-income households that is reasonable but does not add administrative burden to PHAs;
- 2) allows PHAs to exercise discretion to either terminate tenancy of impacted households or charge the greater of either 30 percent of the adjusted income or the subsidy for the unit, whichever is greater;
- 3) provide the Secretary authority to approve waivers in communities where an insufficient stock of appropriate and affordable housing is available in the private market; and
- 4) maintain provisions allowing small PHAs to preserve public housing by renting to over-income households where no eligible households are on the waiting list as specified in Section 3(b)(4) of the Housing Act of 1937.

Status: The House of Representatives passed H.R. 3700 by a unanimous vote. Provisions regarding over-income tenancies were altered in the final version of the bill to allow HUD to provide waivers when needed. The final bill also changed the rent structure for over-income tenants so that PHAs could charge either the FMR of the unit or the unit subsidy. The bill passed by the House includes language allowing small PHAs to preserve public housing by renting to over-income households where no eligible households are on the waiting list as specified in Section 3(b)(4) of the Housing Act of 1937. The Senate has yet to take up the bill.

In February, 2016, HUD released an Advanced Notice of Proposed Rulemaking (ANPR) for limiting the tenancy of over-income residents. NAHRO submitted comments on the ANPR with input from the Housing Committee in early March. NAHRO's comment letter discussed the costs and benefits of a proposed rule limiting tenancy on over-income residents, the potential negative financial implications this limitation would have on PHAs, the importance of PHA discretion, and potential thresholds for HUD to consider if they move forward with a proposed rule. NAHRO's letter stressed that although an unmet need for housing assistance certainly exists, there are legitimate and appropriate reasons for housing authorities to continue serving these families. Examples of the "egregious abuses" highlighted in HUD's Office of the Inspector General (OIG) report that acted as the genesis for HUD's ANPR are rare. The comment letter also suggested HUD look to H.R. 3700 during the informal rulemaking process.

Police Officers in Public Housing

Resolution: Be it resolved, NAHRO supports maintaining PHAs' ability to lease public housing units to police officers as specified under Section 3(b)(5) of the Housing Act of 1937.

Status: Language in the final bill passed by the House of Representatives did not include language prohibiting PHAs from leasing public housing units to police officers.

Inspections Provisions of H.R. 3700—the Housing Opportunity through Modernization Act of 2015

Resolution: Be it resolved, NAHRO supports the inspections provisions of H.R. 3700—the Housing Opportunity through Modernization Act of 2015.

Status: On February 2, the House unanimously approved the Housing Opportunity through Modernization Act of 2015 (H.R. 3700). The House passed the bill 427 to 0, though seven members did not vote. The bill will now go to the Senate for consideration. HUD has published its final streamlining rule, which has a provision that allows for the use of alternative inspection methods pending HUD approval.

Project-Based Voucher Improvement Act of 2015

Resolution: Be it resolved, NAHRO supports the Section 106 provisions of H.R. 3700. **Be it resolved,** NAHRO also supports flexibility in allowing PHAs to implement the percentage limitation on project-basing based on either its authorized voucher allocation or its annual budget authority.

Status: The Project-Based Voucher Improvement Act of 2015 was rolled into the Housing Opportunity through Modernization Act of 2015 (H.R. 3700). On Tuesday, February 2, the House unanimously approved the Housing Opportunity through Modernization Act of 2015 (H.R. 3700). The House passed the bill 427 to 0, though seven members did not vote. The bill will now go to the Senate for consideration. The proposed FY 2017 President's budget included a provision that was in this bill that would allow for PHAs to calculate their allocation of project-based vouchers based on units instead of budget authority.

The Family Unification Modernization and Improvement Act of 2015

Resolution: **Be it resolved**, NAHRO supports the provisions of the Family Unification Modernization and Improvement Act of 2015 given that there's adequate technical assistance and administrative fees.

Status: The Family Unification Modernization and Improvement Act of 2015 (S. 2289) has been introduced into the Senate. It has been referred to the Committee on Banking, Housing, and Urban Affairs.

COMMUNITY REVITALIZATION AND DEVELOPMENT COMMITTEE

Withholding Housing and Community Development Funds Due to Unrelated Issues

Resolution: **Be it resolved**, that the CR&D Committee recommends to the Board of Governors that NAHRO takes the position to oppose any legislation that would withhold federal housing and community development (HCD) dollars from grantees by linking those funds to unrelated issues outside the realm of HCD programs. Withholding resources to which communities are legitimately entitled undermines local efforts to improve the safety and quality of life of community residents. It deprives communities of the funding needed to undertake initiatives to stabilize neighborhoods and provide decent affordable housing.

Status: On October 20, 2015, the Senate voted down S. 2146, Stop Sanctuary Policies and Protect Americans Act. The bill actually received more yes votes than no votes, with 54 supporting, but that still failed to meet the 60-vote threshold required to pass cloture. Even if it had eventually passed, it would have faced a veto from President Barack Obama.