



## 2017-2019 STEERING COMMITTEE

### Teleconference Summary

May 13, 2019

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**Presiding: President Carl Richie**

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#### **ACC LEGAL RESEARCH—CEO Todman**

Last summer, HUD issued a modified ACC embedded into the receipt of capital funds that it later retracted, following strong complaints from the industry. In December, HUD issued the same ACC under the auspices of the Paperwork Reduction Act, except that it excludes language related to executive compensation.

NAHRO, CLPHA and PHADA have been working together on a coordinated response, which has included: (a) encouraging HUD to stop and have conversations with industry groups; (b) working with Hill staff; and (c) filing litigation against HUD if (a) and (b) fail.

There have been different levels of input: what is our point of contention, ranging from stronger arguments related to the process being used; is it the Paperwork Reduction Act vs. the Administrative Procedures Act? Is it the content of the modification? Is it damaging the long-standing business relationship PHAs have had with HUD—contract vs. grant agreement? Unilateral vs. bilateral?

We have heard that HUD is doing this because of a mandate from OMB to be consistent with what other federal agencies are doing with their grant programs and that this is HUD's way of finding a better and smoother process.

Hill staff have expressed concern about changing decades old relationships PHAs have had with HUD. At a meeting held during the Washington Conference, Hill staff also expressed concern about arguments we are using, stating that contract vs. grant agreement may not be our strongest point of entry and they saw the content and the process HUD is using as potentially troublesome. At this time, there is no promising vehicle other than an Appropriations bill to attach language to that would slow down HUD.

NAHRO, CLPHA and PHADA have sent joint letters to both HUD and the Hill and have been acting as one voice on this issue. However, the groups cannot reach agreement on which law firm should do the legal research. PHADA feels we should use a firm like Coan and Lyons, which successfully litigated the offset lawsuit; is strong in the area of research; and good at recommending which court to file a complaint. CLPHA has had a long relationship



with Reno and Cavanaugh (Steve Holmquist is on retainer). Robert Graham has been retained to explore their research and thus figure out a complaint.

Despite numerous conversations, no agreement has been reached relative to which legal counsel to use. President Richie has agreed to hold separate conversations with his PHADA and CLPHA counterparts to reach a consensus on this issue.

#### **UNDOCUMENTED IMMIGRANT RULE—CEO Todman**

Last week, HUD published in the *Federal Register* a proposed rule titled “Housing and Community Development Act of 1980: Verification of Eligible Status.” The rule changes eligible immigration verification requirements. CEO Todman issued both a Direct News and press statement on this issue. NAHRO staff will seek input from members of the Housing Committee and the Small Agency Task Force and will survey the NAHRO membership. We need data on households with mixed families and eligible children; currently, estimated at 55,000. Congressional Relations Director Tess Hembree asked members if they would identify themselves on the survey because it will be useful in her conversations with Hill staff about district impacts. Staff will also reach out to New York City, Pacific Southwest and MARC NAHRO leadership about the impact on sanctuary cities. The Housing Committee and Small Agency Task Force will continue to work on this issue. It is likely that it will be discussed at the Board of Governors meeting in Boston.

President Richie suggested that staff engage the Legislative Network on ‘how to message on the Hill’ because members of Congress will have a strong interest in taking some sort of action.

#### **PRESIDENT’S COMMENTS**

President Richie asked staff to comment on the survey that will be sent to Washington Conference attendees regarding their congressional visits. CEO Todman responded. It is important to ensure that visits count not only as an individual congressional district but also an entire organization. We do not have a mechanism to capture how Members of Congress and their staffs responded to visits and information in the Legislative and Regulatory agenda. The survey will enable staff to learn what happened in meetings and NAHRO members’ walk-aways.

Staff will determine how to get our message into presidential campaigns. It is our hope that candidates will use our information and talk about affordable housing as it relates to our industry.

President Richie and CEO Todman have had fruitful conversations with LDG regarding the scholarship program. They continue to be excited about it and will either increase LDG’s donation or encourage others to do so as well.

President Richie concluded his remarks by advising the Steering Committee that he will attend five regional conferences: MARC, SW, MP, NERC and SERC.



## **CEO'S REPORT**

This year, Ms. Todman is focusing her travel at the state level, which will enable her to see different levels of staff. The NAHRO audit is nearly completed and the B&A will receive a draft on May 29. We have an unqualified audit; approximately \$200,000 in the black. Summer Conference confirmed plenary session speakers are Chris Herbert, Managing Director-Joint Center for Housing Studies, Harvard University and Stedman Graham.

Ms. Todman asked Duane Hopkins, who represented NAHRO at the Native American Indian Housing Council Convention in Denver earlier this month to comment. He reminded the Steering Committee that the Council's Director, Anthony Walters, addressed the Housing and IRGE committees at the Washington Conference. Gary Cooper, the Council's Chairman is interested in attending the Boston Conference. He is also interested in working with MPRC and agencies in the Dakotas through its peer-to-peer network.

## **UPDATES FROM COMMITTEE CHAIRS**

**B&A:** Clif Martin echoed CEO Todman's comments regarding the audit and the association's financial position. He commended her on bringing onboard COO Chuck Wellard.

**Legislative Network:** Mike Gerber reported. LEGNET is mapping out its next advocacy campaign. It will focus on the budget and infrastructure.

**Housing America Task Force:** Richard Herrington encouraged members to participate in the 2019 NAHRO Merit College Scholarship Program. Each region was asked to determine its own deadline and submit applications to national NAHRO by June 28. Recipients will be announced at the Summer Conference.

**Business Partners Council (BPC):** Dionne Roberts shared the Council is finalizing the date for its meeting at Summer Conference; the schedule for promoting the new BPC award and has done initial work on improving its visibility on the NAHRO website.

**Diversity, Equity and Inclusion Task Force (DEITF):** Elizabeth Glenn expressed excitement about the level of collaboration and spirit of cooperation throughout all levels of NAHRO as DEITF continues to implement its framework. The group is also pleased to engage with Club 21 and Emerging Leaders.

**Small Agency Task Force:** Sharon Carlson distributed the Washington meeting summary to all task force members and asked them to share the information with members in their network. She will participate in a small agency forum at the SERC conference. Ms. Carlson expressed concern about the number of changes that will be required to the curriculum, if the proposed rule on undocumented immigrants becomes law.



## **COMMENTS: REGIONAL PRESIDENTS**

**NERC:** Diane Cohen. Gearing up for the regional conference; registrations to date are encouraging. Members are working with NAHRO staff on the Summer Conference. The Regional Board will act at its next meeting on naming a scholarship in Tina Sullivan's memory.

**NCRC:** Jennifer Keogh. Presented highlights of the region's annual conference, which was held last month. Speakers included CEO Todman, Policy Analyst Eric Oberdorfer, and candidate Patricia Wells. There was a track on the intersection between health and housing; vendor and delegate registrations should enable the region to meet budget. Attended the Michigan spring conference and Board meeting and presented a session on advocacy.

**SERC:** Sean Gilbert. Shared planning is underway for the region's annual conference and fundraiser golf tournament in June, which should be a success--registrations to date--approximately 400.

**PNRC:** Saeed Hajarizadeh. Reported the region's annual conference in Portland was well-attended and well-received. He expressed appreciation to NAHRO staff for their support and participation and for the NAHRO Professional Development offering.

**MPRC:** Duane Hopkins. Announced Colorado will convene its annual conference in Vail this weekend. Plans are underway for the region's conference in June. The region is on track to execute initiatives in its strategic plan.

**PSWRC:** Rob Frederick. Announced the conference theme "Magic Begins at Home," and is slated to be a success.

**SWRC:** David Lange. Mentioned plans are underway for the region's annual conference, which should be well attended, as the host conference hotel is already sold out.

There being no further business, the meeting was adjourned.

### **Teleconference Participants:**

**Officers:** Carl Richie, John Mahon, Saeed Hajarizadeh, and Henrietta Snipes.

**Regional Presidents:** Diane Cohen, Jennifer Keogh, C. Sean Gilbert, David Lange, Rob Frederick, Duane Hopkins

### **Chairs: Task forces and ad hoc groups:**

Clif Martin, Mike Gerber, Elizabeth Glenn, Sharon Carlson, Richie Herrington, and Dionne Roberts

**Parliamentarian:** Antoinette Jackson

**Other Participants:** Stacy Spann for VP Mark Thiele

**Staff:** Adrienne Todman, Sylvia Bowen, Georgi Banna, Tess Hembree