

State & Local Policy Recommendations for COVID 19

State and local responses to the COVID 19 crisis varies widely across jurisdictions. CSH is analyzing information as it becomes available across topics that affect housing security, services, and development. Below is recommended language to ensure that policies in response to COVID 19 address both the immediate crisis and the possible long-term and lasting implications.

EVICCTIONS and RENT & UTILITY PAYMENTS

- Cover the entire state and be executed through a formal process such as legislation, an executive order, or a judicial order;
- Freeze all eviction activity including,
 - cases that are currently pending,
 - cases where Eviction Orders have been issued but has not been carried out, and
 - filings on any new cases resulting from loss of income (full or partial), medical leave, or unpaid leave due to childcare or other issues arising as a result of COVID 19;
- Last for the duration of the state of emergency or be able to be extended should the crisis continue past a set deadline;
- Inclusive of all rental units, including private landlords;
- Freeze any lease terminations for the duration of the state of emergency;
- Prohibit any utility shut-offs for the duration of the eviction stay order;
- Prohibit any late fees or other penalties for late or missed payment of rent or utilities; and
- Freeze utility and rental payments if the tenant can demonstrate financial hardship from loss of income (full or partial), medical leave, or unpaid leave due to childcare or other issues arising as a result of COVID 19.

HOUSING ASSISTANCE

- Maintain current rent levels and freeze any rent increases for 6 to 12 months after emergency orders are lifted;
- Mandate a reasonable payback period of up to 12 months for renters to make up missed utility and rent payments;
- Appropriate utility and rental assistance for low-income individuals who may not be able to make up missed payments; and
- Establish a tax deferral program for landlords that can demonstrate that they allowed deferred rent for tenants and are therefore experience a significant income loss as a result of COVID 19.

PEOPLE EXPERIENCING HOMELESSNESS

- Institute a protocol for screening individuals in shelters to proactively identify individuals who may be carrying or exhibiting symptoms of COVID 19;
- Establish a hospital discharge policy to prevent individuals positive for COVID 19 from entering back into shelters or going to an unsheltered location;
- Establish protocols to conduct outreach to unsheltered homeless individuals, prioritizing those with underlying health conditions that make them more susceptible to contracting COVID 19 for placement inside;
- Appropriate funding to create isolation sites for individuals who do not have a safe alternative while awaiting test results or recovering from mild symptoms;
- Appropriate funding to expand capacity for social distancing and for permanent housing. State or jurisdictions may also apply for a FEMA Non-Congregate Sheltering support
 - Identify locations such as hotels, vacant dormitories, mobile homes for immediate response, and prioritize locations that may be available and/or converted over the long-term into permanent supportive housing so individuals are not re-entering shelters after the crisis,
 - Ensure appropriate distance between beds at all location,
- Waive requirements on available vouchers and supportive housing resources so that individuals may be quickly placed into permanent supportive housing;
- Establish protocols for safely transporting individuals who require isolation or those who are using alternative sites for social distancing;
- Temporarily waive medical licensure regulations to allow for recently expired, set to expire during the crisis, or out-of-state healthcare workers in good standing to administer care in isolation sites where individuals await test results or recover from mild symptom; and
- Appropriate funding for supplies to ensure shelters, isolation centers, and staff are safe, clean, and protected.

PRISON and JAIL RE-ENTRY

- Develop a re-entry policy for individuals who continue to be discharged, paroled, or released early for social distancing that requires an assessment of housing status to determine if individuals will be unstably housed or at risk of homelessness at time of exit;
- Institute a protocol for screening individuals to proactively identify individuals who may be carrying or exhibiting symptoms of COVID 19, and establish a discharge policy to prevent individuals exhibiting symptoms of COVID 19 from entering into homeless shelters or going to an unsheltered location;
- Appropriate funding for a community transition programs and/or waive requirements on any current re-entry programs to allow available funding to be used for immediate, temporary housing for the purpose of isolation and permanent supportive housing for individuals who will be homeless or unstably housed at time of exit; and
- Pass fair housing legislation that prohibits landlords from automatically denying housing based on source of income or previous justice system involvement.

CONSTRUCTION

- Executed through executive order;
- Deems affordable and supportive housing as part of essential construction; and
- Requires developers to implement social distancing protocols and safety measure to protect workers

INCREASING HOUSING PIPELINE AND ACCESS TO PERMANENT SUPPORTIVE HOUSING

- Appropriate funding to conduct a thorough housing needs assessment, with a specific focus on supportive housing, including the total number of needed units in each community across the state and details on specific vulnerable population,
 - The needs assessment should leverage the administrative data across state agencies/data systems,
 - Data sharing agreements should be codified in statute or an agreed upon Memorandum of Understanding (MOU) to facilitate access to data;
- Prioritize quality, permanent supportive housing thresholds or set-asides during QAP cycles for both federal and, where available, state low-income housing tax credits to ensure more units are available 0-30% AMI and reduce the shelter population over time;
- Pass legislation to create a state low-income housing tax credit program to be administered alongside the federal LIHTC program;
- Appropriate funding for services to ensure that tenants have access to support services;
- Pass legislation to reduce any barriers to public/private partnerships so that state or local agencies may create flexible housing pools in partnership with private and philanthropic partners to increase funding for housing development, housing risk mitigation resources (i.e. security deposits, unit repairs, etc.), housing, etc.;
- Pass legislation to allow local jurisdictions to pass inclusionary zoning ordinances that allow for additional affordable housing development; and
- Pass fair housing legislation that prohibits landlords from automatically denying housing based on source of income or previous justice system involvement.

*Please note: as more information becomes available, these recommendations will be updated and expanded. (Last Updated: April 2, 2020)