



HOUSING IS A HUMAN RIGHT:
FIRST 100 DAY PRIORITIES TO END HOMELESSNESS IN AMERICA

Homelessness is a national crisis. To end it, we must ensure housing for all homeless people. Because housing is a basic human right– not a privilege.

THE BIDEN ADMINISTRATION SHOULD TAKE THE FOLLOWING STEPS TO IMPLEMENT ITS COMMITMENT TO HOUSING AS A HUMAN RIGHT:

Day 1:

- **Address the COVID Housing Emergency**
 - Reaffirm that housing is a human right and will be treated as such in policymaking for the pandemic and beyond.
 - Extend Centers for Disease Control (CDC) [rental eviction moratorium](#) through end of 2021, rescind harmful CDC/HUD/Treasury [FAQ memo](#) and issue new, guidance emphasizing application to all tenants and all stages of evictions.
 - Convert CDC [guidance on unsheltered homelessness](#) to an order, requiring no displacement of people experiencing unsheltered homelessness and provision of adequate sanitation for encampments unless individualized housing is offered.
 - Issue an Executive Order directing HUD and DOJ to take action to encourage jurisdictions receiving federal funds to cease enforcement of laws criminalizing homelessness and supporting housing solutions, non-law-enforcement based crisis intervention services, and other alternatives to criminalization.
 - Support additional non-congregate sheltering options to save lives by announcing FEMA will extend non-congregate shelter funding at least through the winter to provide safety from both exposure and COVID.
 - Issue an Executive Order directing educational agencies to find, enroll, and support missing homeless PreK-12 students and their families.
 - Issue an Executive Order directing the General Services Administration to identify immediately available vacant federal properties that could be used for temporary or permanent housing for people experiencing homelessness.
 - Announce plans for comprehensive COVID relief package that includes adequate Emergency Rental Assistance and Homelessness Assistance.
- **Remove Anti-Evidence USICH Personnel**
 - Remove Robert Marbut as ED of USICH and detail Jemine Bryon from HUD as interim ED until a permanent new ED is identified.
 - Announce re-focus of USICH and intent to develop a new federal strategic plan with participation of persons with lived experience of poverty, homelessness, and other forms of discrimination.
- **Rescind Harmful Executive Orders and Regulations**



- Rescind the proposed changes to the Mixed Status Rule to ensure mixed-status immigrant families can maintain access to rental assistance for U.S. citizen household members and announce intent to issue new rule.
 - Rescind the proposed changes to the Equal Access Rule (assuming a final rule is not in place).
 - Rescind the proposed changes to HUD’s Affirmatively Furthering Fair Housing (assuming a final rule is not in place).
 - Rescind proposed changes to HUD’s Fair Housing Act Disparate Impact Standard.
 - Rescind Executive Order on the Commission on Law Enforcement and Administration of Justice and create a new Commission, including representation from civil and human rights organizations and persons with lived experience in the criminal justice system.
 - Rescind Executive Order 13950 that bans equity training for federal contractors/grantees as well as OMB M-20-34 and M-20-37 that ban equity training for federal agencies and direct implementation of the Order.
- **Elevate Homelessness Within Administrative Structures**
 - Add USICH to the Domestic Policy Council.
 - Add seats on USICH Council for persons with lived experience of homelessness.
 - Announce creation of a Housing Justice policy team at the Domestic Policy Council.
 - Announce the re-institution of the Department of Justice Office of Access to Justice

First 100 Days:

Create Plan for Universal Access to Affordable Housing with Persons With Lived Experience of Homelessness & Poverty

- Fund universal housing assistance so that all who need it receive it through decent public housing, vouchers, and renters’ tax credits.
- Raise the federal minimum wage to a living wage, or “housing wage,” so working people can afford housing, including indexing it locally to actual housing costs.
- Index Supplemental Security Income and Social Security Disability Insurance payments to local housing costs so that those unable to work can afford housing.
- Ensure set asides for adequate supportive housing.
- Ensure a sufficient supply of affordable housing by funding the National Housing Trust Fund and Low-Income Housing Tax Credits.
- Direct HUD to waive any regulation or practice that restricts access to housing and homeless assistance for children, youth, and families who are experiencing homelessness under the education definition of homelessness.
- Strengthen [Title V](#) of the McKinney-Vento Act to make more vacant federal properties available to homeless service providers at no cost.



Shorten Homelessness by Ending its Criminalization

- Create requirement for CDBG grantees to commit to eliminating criminalization of homelessness and creating adequate housing affordable to homeless and other extremely poor persons in order to receive funding.
- Create other federal funding incentives for ending criminalization and promoting constructive alternative approaches, such as those proposed in [Rep. Jayapal's Housing is a Human Right Act](#).
- Require federally-funded infrastructure projects to plan for, and pay for, persons living in encampments who will be displaced by infrastructure projects to be provided with adequate housing alternatives.

Prevent Homelessness by Strengthening Housing Rights

- Prohibit discrimination in housing based on source of income, housing status, or status as a victim of domestic violence, and on criminal, eviction, or credit history unrelated to an individual's ability to abide by reasonable terms of tenancy.
- Ensure a [right to counsel](#) for poor tenants facing eviction and prohibit evictions of poor tenants without just cause.
- Ensure domestic violence survivors are not forced to choose between homelessness and abuse by strengthening and reauthorizing the housing provisions of the Violence Against Women Act.
- Ensure persons in institutions or systems of care, including adults being discharged from hospitals, prisons, or jails, and youth aging out of foster care or juvenile detention, are discharged into housing, not homelessness.
- Ensure families are not separated due to homelessness, either due to single-sex shelters or children being placed into foster care.
- Protect homeless children and youth by ensuring their rights to public education as guaranteed by Title VII of the McKinney-Vento Homeless Assistance Act.

BACKGROUND

By the Numbers

- Unless we get #RentReliefNOW, the COVID-induced economic crisis will put [30-40 million people at risk of eviction](#) and homelessness when the CDC moratorium expires on January 1, 2021. [Nearly half of all Black and Latinx renters](#) reported in June that they were not sure they would be able to pay the next month's rent.
- According to the [U.S. Department of Housing and Urban Development \(HUD\)](#), which admits this is an [undercount](#), on a *single night* in 2019, over 568,000 people were sleeping in shelters, transitional housing, or public places and 35% of people experiencing homelessness were unsheltered. And in 2017, [over 1.4 million people](#) stayed in shelters at some point that year—and this doesn't even include those in domestic violence shelters.



- According to the U.S. Department of Education, more than 1.5 million school children were homeless during the 2017-2018 school year. In 2018, people in families with children were one-third (33%) of the total homeless population. Estimates are that more than 400,000 students may not be correctly identified as homeless due to COVID transitions.
- Over 4.4 million poor people were doubled up in 2017, sleeping on the floors or couches of family or friends because they could not afford their own housing--25% higher than before the 2007 recession.
- Due to America's long history of systemic race discrimination, racial minorities experience homelessness at disproportionate rates: African Americans make up 13% of the U.S. population, 21% of the poverty population, and 40% of the homeless population. Rates of homelessness for Native American and Latinx populations are similarly elevated.

Lack of affordable housing and insufficient income are the leading causes of homelessness.

- Between 1990 and 2016, the national median rent rose 20 percent faster than overall inflation; the median home price rose 41 percent faster as well.
- Nationally, close to half of renters households are cost-burdened (paying more than 30% of their income on housing); as are one-quarter of homeowners.
- In 2016, 45 percent of African-American-led renter households were cost-burdened, compared with 27 percent of white households.
- Close to 90% of new apartment construction in 2017 and 2018 was luxury units.
- In 2017, the U.S. had a shortage of 7.4 million affordable rental homes for extremely-low income renter households; only 37 affordable units were available for every 100 in need.

More people are living in public places—and many cities are responding by criminalizing homeless people instead of offering housing and support:

- Reports of homeless encampments grew 1,342% between 2007 and 2017.
- Ordinances criminalizing camping increased by 69%, sleeping in public by 31%, sitting and lying in public by 52%, and living in vehicles by 143% between 2006 and 2016.
- These harms are even more pronounced for African-Americans, who are disproportionately affected at every stage in the criminal justice system.