

IN JUST TIMES

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NATIONAL LAW CENTER
ON HOMELESSNESS & POVERTY



Changing Laws, Changing Lives

March 2018



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Dear Friends—

Homelessness disproportionately affects people of color, as confirmed in a [new report released by the Center for Social Innovation this month](#). Nationally, Black Americans make up more than 42 percent of the homeless population, compared to 12 percent of the total population and about 23 percent of those living in deep poverty. In some communities, the discrepancy is even greater.



Maria Foscarinis
Executive Director

Yet just as the report was being released, HUD initiated plans [to remove fighting discrimination](#) from its official mission statement. And while HUD has [now backpedaled](#) somewhat, the agency also [recently announced](#) the suspension of a rule to further fair housing and counter segregation in housing. Relatedly, HUD also [rescinded guidance](#) to help LGBTQ youth, who constitute some 40 percent of homeless youth.

The gross overrepresentation of African-Americans in the homeless population is not an accident. The Fair Housing Act, passed 50 years ago this April, reversed the explicit federal policy that conditioned federal loans to developers on their promise to exclude Black Americans from homeownership. But the impact of that legacy remains, along with less explicit but just as invidious forms of discrimination.

Black Americans are also more likely to face barriers in renting, and to pay high percentages of their incomes for rent; more than [70 percent of rent-burdened households are people of](#)

[color](#), putting them at greater risk of homelessness. And laws criminalizing homelessness have roots in racist, post-Civil War [“sundown” laws](#) aimed at driving Blacks and other minorities out of towns.

Ending and preventing homelessness and fighting discrimination go hand in hand. We can use the power of the law to do both, and we will be using this important new data to inform and bolster our efforts. [Support our work today.](#)



Maria Foscarinis
Founder & Executive Director

New Law Center Report *Protect Tenants, Prevent Homelessness* Aims to Strengthen Renters' Rights

By Maggie Ardiente

Strengthening tenants' rights can reduce housing instability and prevent homelessness, according to a new report released on March 20, by the National Law Center on Homelessness & Poverty (the Law Center). [*Protect Tenants, Prevent Homelessness*](#) details the relationships between renters' rights, evictions, and homelessness; it highlights issues low-income renters face and provides recommendations for improving housing security among vulnerable populations. The report was released following a change in the U.S. Housing and Urban Development's mission statement earlier in the month, which removed language ensuring “quality, affordable homes for all” and access to housing “free from discrimination.”

“Rising housing costs, stagnant wages, and job insecurity are putting millions at risk of losing their homes,” said Maria Foscarinis, executive director of the National Law Center on Homelessness & Poverty. “The time is overdue for lawmakers to implement policy changes that not only end homelessness but prevent it from happening in the first place.”



The report describes how a small and shrinking supply of affordable housing, combined with a large and growing demand for housing, creates a power imbalance between landlords and renters, putting renters at further risk of evictions. The high demand leads renters to often spend far more than they can afford to keep their homes: 21 million renter households pay more than half of their total household income on housing, a record high.

“Unaffordable rents make homelessness a constant threat for families, elderly, and disabled people, yet the law often provides them little protection to remain in their homes,” said Tristia Bauman, senior attorney at the Law Center.

The report cites a variety of supporting research, including a cost-benefit analysis of a legal right to counsel for tenants that found access to a housing attorney would reduce evictions by an estimated 77 percent and produce a net cost savings to cities. The Law Center recommends that governments place more emphasis on addressing underlying causes of housing insecurity and homelessness by preserving existing affordable housing and adopting laws that discourage housing insecurity and eviction.

[Read the full report here](#). An informational webinar about the report, featuring commentary from the Law Center and guest authors of the report from the Virginia Poverty Law Center, the National Coalition for a Civil Right to Counsel, and Tenants Together, will be held on Thursday, March 22, at 2:00 pm ET. [Register for the webinar here](#).

Colorado Legislature Hears Testimony on Right to Rest Act

By Tristia Bauman

The statewide effort in Colorado to prohibit the criminalization of homelessness suffered a setback on March 14 when a Colorado House Local Government Committee [voted down the proposed “Right to Rest” bill](#). The bill would have protected the right to sleep, sit, and otherwise rest in public space in a non-obstructive manner. The bill also would have prohibited discrimination based on housing status.

The eight-hour hearing on the bill included testimony in support of the bill from several homeless Coloradoans, advocates and service providers across the state, Denver city officials and even members of the Denver business community. I also testified in support of the bill to highlight the connection between criminalization and worsened homelessness. “Unaffordable fines and criminal convictions for violating laws prohibiting acts of survival create barriers to housing and employment that make it difficult—or even impossible—to escape life on the streets.”

The Law Center worked with the Western Regional Advocacy Project, Denver Homeless Out Loud, and other partners to draft the bill and lobby for its support. The Law Center also recruited the support of Law Enforcement Action Partnership (LEAP), which [authored a joint op-ed](#) with Executive Director Maria Foscarnis that was featured in the *Colorado Springs Gazette*.

Proponents of the bill vow to continue the fight—in fact, Denver Homeless Out Loud has already filed a ballot initiative modeled on the Right to Rest bill. The Law Center will continue to support local advocates and its partners in Colorado on this issue.

Homeless Bill of Rights on the Move

By Eric Tars

Beginning about five years ago, Rhode Island, Connecticut, and Illinois passed Homeless Bills of Rights, and the Law Center published [*From Wrongs to Rights: The Case for Homeless Bill of Rights Legislation*](#). Since that time, numerous other states and cities have considered Homeless Bills of Rights in various forms, but none have yet passed. This year, the Law Center is supporting local advocates with bills that are up for consideration across the U.S. and around the globe. In addition to Colorado:

Delaware: The Law Center offered testimony for the [Delaware Homeless Individual's Bill of Rights](#), currently awaiting consideration in the Delaware Senate Judicial and Community Affairs Committee, and has been collaborating with [HerStory Ensemble](#) and other local advocates to help push it forward.

Duluth, Minnesota: The Law Center provided [written testimony](#) for Duluth's proposed Homeless Persons' Bill of Rights for a hearing before the city council on March 12. The Duluth Human Rights Commission recommended the bill for adoption, and it is awaiting action from the council.

Pennsylvania: The Law Center is working with the sponsors of [Pennsylvania House Bill 1664](#) to attempt to move it to a hearing in the House Urban Affairs Committee.

Vermont: The Law Center provided [written testimony](#) for [Vermont House Bill 412](#), the Vermont Homeless Bill of Rights, for a hearing before the House Committee on General, Housing, and Military Affairs on March 2. The bill was tabled for this session but advocates at the [Vermont Affordable Housing Coalition](#) plan to reintroduce it next year.

Michigan: The [Michigan Homeless Bill of Rights](#) was introduced in 2017. It recently failed to move out of committee, but advocates at the [Michigan Coalition Against Homelessness](#) plan to bring it back next year.

Massachusetts: The [Massachusetts Bill of Rights for People Experiencing Homelessness](#) has passed through several committees and the [Massachusetts Coalition for the Homeless](#) is hopeful it will pass by the end of the session.

Europe: Following consultations with the Law Center, the European Housing Rights Watch network introduced a Europe-wide effort to pass [homeless bills of rights](#). Their goal is to get different cities to endorse the bill, which includes several rights such as the right to exit

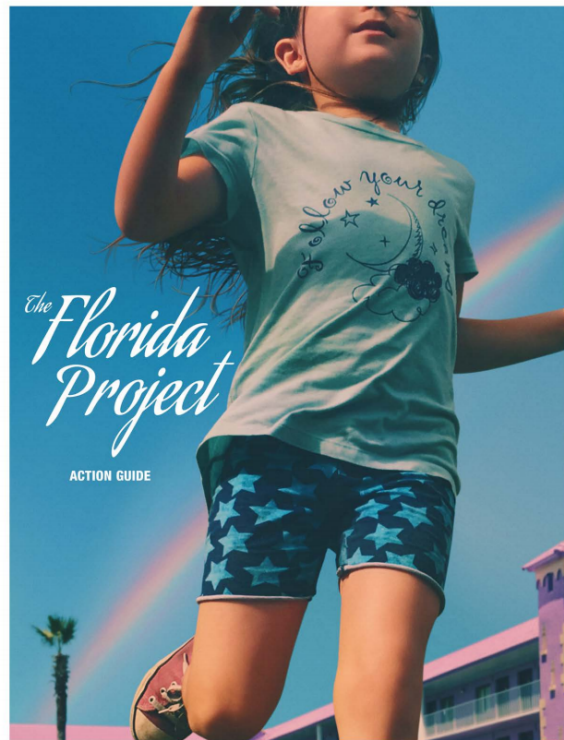
homelessness and the right to decent emergency accommodation, which are in advance of what most U.S. homeless bills of rights propose. Barcelona, Spain, and three smaller cities in Slovenia have endorsed the bill to date.

There are numerous other cities and states where advocates are organizing but have not gotten a bill introduced this year. We encourage advocates to reach out to the Law Center for testimony and support.

NEWS from the LAW CENTER

***The Florida Project* Film Releases Action Guide, Cites Law Center**

The Law Center is listed as a national resource for housing advocacy in an [Action Guide](#) supported by the producers of the 2017 Oscar-nominated film *The Florida Project* (starring William Dafoe, Bria Vinaite, and Brooklynn Prince) and published by Seattle University's Project on Family Homelessness. The Action Guide was announced at the National Alliance to End Homelessness' Conference on March 1 as a follow-up to people who want to get involved in ending homelessness after watching the film, which features families living in budget motels near Disney World.



Law Center Joins Letter to Secretary Ben Carson to Reinstate Anti-Discrimination Language in HUD's Mission Statement

With over 570 civil rights and housing organizations, the [Law Center signed onto a letter](#) asking U.S. Department of Housing and Urban Development (HUD) Secretary Ben Carson to retain anti-discrimination language in HUD's mission statement. News reports claim HUD is planning to remove references to creating "inclusive and sustainable communities free from discrimination" and include "opportunities to achieve self-sufficiency." The letter received coverage in the [Huffington Post](#).

Law Center Signs Amicus Brief Supporting Homeless Student's Rights

The National Law Center on Homelessness & Poverty [signed on to an amicus brief](#) to the 3rd Circuit filed by the Education Law Center—Pennsylvania in *G.S. v. Rose Media School District*. Homelessness disproportionately affects students with disabilities, and parents

experiencing homelessness often lack access to counsel and legal resources to protect their rights. After signing a settlement agreement that waived G.S.'s rights to future legal claims under the McKinney-Vento Homeless Assistance Act, the school disenrolled G.S. because it held that the family is no longer homeless even though there have been no changes in the student's living situation. Education Law Center, NLCHP, and other legal advocates urged the 3rd Circuit to find in favor of G.S. because waiving a homeless student's future educational rights goes against public policy and because state and local educational agencies cannot deny eligibility for McKinney-Vento supports and services based on an arbitrary limit on the length of time a student experiences homelessness.

Celebrating Women's History Month

March is Women's History Month! Follow the National Law Center on Homelessness & Poverty on [Facebook](#) and [Twitter](#) where we feature quotes from famous women in history dedicated to equality and social justice.

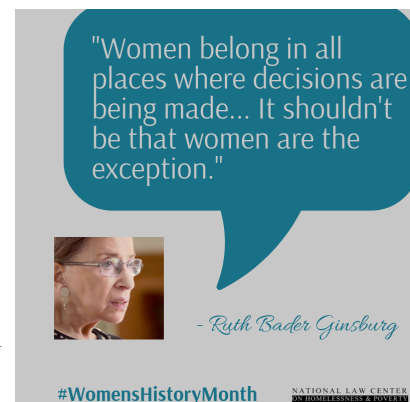
New Fellows & Volunteers

Amirio Freeman, Emerson National Hunger Fellow, graduated from the College of William & Mary with a B.A. in public policy and a minor in Africana Studies. Prior to his placement at the Law Center, Amirio worked for Martha's Table, where he created a guide for integrating "transformative community engagement" and assisted with the organization's food access and community outreach and engagement efforts. Amirio comes to the Law Center with a passion for galvanizing marginalized persons to make the societal changes they want to see, especially within the realms of racial equity and food systems.

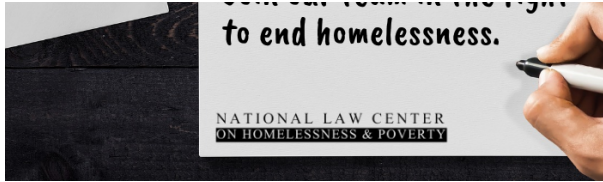
Cassidy Waskowicz, Volunteer Attorney, is a graduate of Wellesley College and Cornell Law School. She has worked as a corporate lawyer in a major law firm, a lawyer at The Financial Crisis Inquiry Commission, a commission created by Congress in 2009, and while living abroad, as a contract lawyer for a small telecommunications company. Cassidy hopes to learn as much as possible about how the law is used to further social change related to issues of homelessness and poverty.

Join the Law Center Team!

We're hiring for an **Operations Manager**! Reporting to the Deputy Director, the Operations Manager is responsible for executing the Law Center's operations, with responsibilities in human resources, financial oversight, and administration. The Operations Manager assists in the financial management of the organization, working with and coordinating outside accountants and



bookkeepers. [Read the job description and details on how to apply.](#)



NLCHP in the Media

NPR (Mar. 6): [A Homeless Man's Truck is His Home, Judge Rules in Seattle](#)

Newsweek (Mar. 1): [HUD Accused of Systemically Removing LGBT People from Homeless and Housing Decisions](#)

New York Times (Feb. 27): [A Homeless Camp in Our Back Yard? Please, a University Says](#)

San Francisco Chronicle (Mar. 10): [Deaths of Homeless People Go Uncounted in Oakland—and Most Places](#)

San Diego Union-Tribune (Mar. 7): [Joshua Tree Couple Released from Jail But Still Face Child Abuse Charges](#)

Shadowproof (Mar. 5): [Albuquerque Won't Enforce Draconian Anti-Panhandling Ordinance While ACLU Lawsuit is Pending](#)

HowStuffWorks (Feb. 28): [Tiny Houses Are Huge for Homeless](#)

Texas Observer (Feb. 28): [Hope \(and Possible Heartbreak\) at Amarillo's 'Tent City'](#)

Real Change News (Feb. 28): [Where Do People Go When They're Told to Leave?](#)

Louisiana Weekly (Feb. 26): [Blacks Comprise More Than 40 Percent of the Homeless](#)

Newsweek (Feb. 26): [California Homeless Camp Cleanup Finds 250 Tons of Trash](#)

Boston Review (Feb. 21): [Cities on a Hill?](#)

In Justice Today (Feb. 20): [The Criminalization of Homelessness: An Explainer](#)

Columbus Dispatch (Feb. 18): [Columbus Laws Silent on Living in Cars](#)

Events

TOMORROW: The Law Center will host a free **webinar** discussing [its most recent report](#), *Protect Tenants, Prevent Homelessness*, from 2:00pm to 3:30pm ET. The webinar will feature guest authors of the report from **Tenants Together**, **Virginia Poverty Law Center**, and the **National Coalition for a Civil Right to Counsel**. [Learn more and register here](#).

The National Health Care for the Homeless Council and the Law Center will host a free **webinar** on "Law Enforcement & Homelessness: Forging Fruitful Partnerships" on April 12 from 1:00pm to 2:00pm ET. [Learn more and register here](#).

Senior Attorney **Eric Tars** spoke at the **National Low Income Housing Coalition's 2018 Housing Policy Forum** on March 19 on "Best Community Responses to Homeless Encampments."

Staff Attorney **Michael Santos** spoke at the **National Network for Youth's National Summit on Youth Homelessness** on March 20 on "How To Identify and Remove Legal Barriers: Practical Strategies For Providers."

Changing Laws. Changing Lives.

The National Law Center on Homelessness & Poverty (the Law Center) is the only national organization dedicated solely to using the power of the law to end and prevent homelessness.

With the support of a large network of pro bono lawyers, we address the immediate and long-term needs of people who are homeless or at risk through outreach and training, advocacy, impact litigation, and public education.

www.nlchp.org