

# 2022 LEGISLATIVE AGENDA

## AND COMMUNITY OUTREACH FINDINGS

The Washington Low Income Housing Alliance is a statewide organization comprised of a wide range of stakeholders working together to expand access to healthy & affordable homes, end homelessness, and protect renters.

To develop our 2022 legislative priorities, we conducted a survey collecting feedback from 430 people across the state. We also held eight focus groups, hearing from a total of ninety participants, for greater exploration of the issues that communities of shared marginalized identities face. Focus groups included: a Black/African American group from Spokane; a Disabilities group (state-wide); a Rural Communities group from Gray's Harbor; an Urban Indigenous group from Seattle; a Youth and Young Adults group (state-wide); a group of public housing tenants (state-wide); and two groups of local direct service providers working in Black, Indigenous, and other communities of color (state-wide).

Combined, this outreach helped us develop a set of legislative priorities that represents the housing needs of the people and communities most impacted by the affordable housing and homelessness crisis.

### KEY TAKEAWAYS

- **Affordable housing was out of reach before the pandemic, but it is even less accessible now.** Communities are seeing drastic and sweeping rent increases while wages remain the same and workplaces continue to be physically and economically precarious due to COVID. Rent increases are greatly exacerbating the already-crisis level issue of affordability.
- **Many highly vulnerable communities are dealing with extreme property neglect** because they can't enforce the protections available to them. Affordable housing options are extremely slim and the ones that are available often come with unsafe living conditions.
- **The greatest barriers to attaining and maintaining long-term affordable housing** include conviction history, drastic rent increases, racism and other forms of discrimination, inability to access legal services to enforce protections and rights, language barriers, and housing units being physically inaccessible.
- **Workforce challenges are impacting already over-stressed and under-resourced homelessness service providers & community-based organizations across the state.** Frontline homelessness workers have faced increased trauma and hazardous conditions over the last two years, often while barely earning a living wage.

**Lawmakers have the solutions to create equitable housing opportunities for every community in our state and address the affordable housing and homelessness crisis.** Our agenda reflects the most urgent priorities, each informed by stakeholders across the state who know best what their communities need. If the Legislature embraces these priorities, we will make significant progress toward ending homelessness and ensuring that everyone in Washington has a safe, healthy, affordable place to live.

# BUDGET PRIORITIES

- **Invest \$500 million in affordable homes**

Before the pandemic, Washington was already facing an affordable housing and homelessness crisis, but the problem has grown over the last two years as more households struggle to keep a roof over their heads. To afford a modest two-bedroom apartment at fair market rent, a household would need to earn more than \$29 per hour. There was a shortage of over 198,000 homes affordable and available to very low-income households.

Recent polling shows that 92% of Washington voters say homelessness and lack of affordable housing are critical issues that the Washington State government should address. With a strong economy and nearly \$1 billion left in federal COVID funding, we have the resources to address this crisis. Governor Inslee's budget proposal included over \$430 million for the Housing Trust Fund and rapidly acquiring permanent and emergency housing. The Legislature should seize the opportunity and invest at least \$500 million into solving one of our state's biggest problems. These investments will address the immediate need to move people experiencing homelessness into safe shelter during the pandemic and address our longstanding housing crisis.

- **Increase the Aged, Blind and Disabled (ABD) cash grant for people with disabilities from \$197 to \$417 per month**

The ABD grant has not increased since it was created in 2011 even though housing costs and the cost of basic necessities have dramatically increased. It is impossible to meet your basic needs on \$197 a month, which is why in 2020, approximately 43% of people receiving ABD were experiencing homelessness. Financial cash assistance provides opportunities for individuals and families to meet their basic needs. This was included in the Governor's budget. The cost for the balance of this biennium is \$36.2 million.

- **Workforce capacity and sustainability for nonprofit homelessness service providers and permanent supportive housing providers**

Our state's ability to prevent and end homelessness rests on the shoulders of nonprofit workers across the state who assist people in crisis. The pandemic has strained homelessness nonprofits. Frontline workers face hazardous conditions and experience significant trauma while earning low wages. Many are just one paycheck away from homelessness themselves. The Legislature should invest \$78 million to address staffing shortages by providing hazard pay, retention and recruitment bonuses, secondary trauma resources, and other supports for the frontline workers who are so critical to ending homelessness.

# BUDGET PRIORITIES

- **State funding and expenditure authority for the State Health Care Authority to continue the Foundational Community Supports (FCS) and the broader Medicaid Transformation Project for another 5 years**

FCS allows the use of federal Medicaid dollars to pay for the services needed to support people exiting unsheltered homelessness and the services needed to support people living in Permanent Supportive Housing. Permanent Supportive Housing is the solution to long-term homelessness and ties housing with services to address people's physical and behavioral health disabilities.

- **\$1.3 million to address a shortfall for tenants' Right to Counsel plus an additional \$2 million for pre-eviction legal aid**

Under Washington's Right to Counsel program, low-income tenants are provided a free lawyer in eviction court. While this was funded in last year's budget, an additional \$1.3 million is needed to address a shortfall. This was included in the Governor's budget proposal.

Right to Counsel is available to tenants in eviction court, but pre-eviction civil legal aid is the first line of defense against eviction. It prevents cases from entering the court process and empowers tenants to utilize their rights. Informed tenants can enter dispute resolution with a clear understanding of their rights and responsibilities. This results in better outcomes for tenants by improving housing stability. The Legislature should include \$2 million in the operating budget for pre-eviction civil legal aid.

- **\$4.5 million for foreclosure prevention**

With the end of state and federal foreclosure moratoria and forbearance programs, Washington homeowners impacted by the pandemic need immediate help to stay in their homes. As the pandemic continues to evolve and impact the economy, homeowners will feel the ramifications for several years to come. The final budget should include \$4.5 million with broad allowable usage to ensure the state's highly effective Foreclosure Fairness Act safety net - housing counselors, foreclosure prevention hotline staff, legal aid attorneys, and the mediation program - can provide crucial wrap-around support for people navigating the daunting foreclosure process. Homeowners need these advocates on their side to help them retain their homes and set them up for long-term success. This was included in the Governor's budget.

# POLICY PRIORITIES

- **Housing Justice Act: prevent landlords from denying housing solely based on a tenant or family member's previous arrest or incarceration (HB 2017/Davis, Simmons)**

All of us, no matter our race, income, or past, should have a safe and healthy home. But today, landlords are allowed to deny rental applications based on a past conviction or arrest, labels that last forever.

Racial biases, over-policing, and policies that criminalize poverty cause Washingtonians of color to be more likely to be impacted by the legal system, and then be locked out of opportunities to find dignified housing after. Discrimination based on past convictions is one of many policies that continues to make it more difficult for Black and brown Washingtonians to find safe, healthy homes.

The Housing Justice Act will prevent landlords from automatically excluding someone from rental housing because they have an arrest record or past conviction. This will make a real and meaningful impact in addressing housing disparities and ensuring everyone in our community has access to safe, stable housing.

- **Provide tenants more time to respond to rent increases (HB 1904/Peterson, Morgan)**

There are currently no limits on how high landlords can raise rents in Washington. In communities across the state, tenants are experiencing exorbitant rent increases. When a tenant can't afford a major rent hike, they often have to move with as little as 60 days' notice. With high rents and limited vacancies, renters need more time to respond to significant rent increases. HB 1904 requires landlords to provide six months' notice for significant rent increases. This gives tenants time to decide what's best for them, and if necessary, time to find a new place to live and save money for a deposit and other moving costs. It also gives tenants more flexibility to end their lease and move before the increase takes effect, and caps late fees.

# POLICY PRIORITIES

- **Enforcement of tenant protections (HB 2023/Hackney, Macri)**

Landlord-tenant laws in Washington are considered “self-help” which means it is up to individual tenants to enforce their rights, on their own. There is no entity charged with the enforcement of laws protecting tenants from unscrupulous or neglectful landlords, and tenants cannot take their landlord to court to uphold basic and critical responsibilities, like making repairs.

HB 2023 adds enforcement mechanisms to the Residential Landlord-Tenant Act, through the Attorney General’s enforcement of the Consumer Protection Act and with an expedited court process for tenants to enforce their rights. Other states have such mechanisms, and the results are better housing conditions and improved stability.

- **Provide a Real Estate Excise Tax (REET) exemption as an incentive to sell property to affordable housing developers (SB 5642/Mullet, HB 1643/Hackney)**

This will incentivize sales to affordable housing providers and give them a leg up when competing for increasingly scarce land for multifamily housing. This policy was passed in 2020 (HB 2634/Walen) but vetoed by the Governor with many other bills due to the unknown impact of the pandemic on the state budget at that time.