



NAHRO's Study of HUD's Section 8 Renewal Funding Policy

On April 22, 2004, UUD Secretary Alphonso Jackson issued a memo implementing HUD's Section 8 renewal formula (PIH Notice 2004-7). HUD recently announced that it will restore \$150 million of the cuts resulting from that policy to 500 agencies and apply a full FY 2004 inflation factor. The National Association of Housing and Redevelopment Officials (NAHRO), however, has conducted a national study of the impact of the new HUD policies, including the modifications. NAHRO found that even with the revisions to the original policy, major problems remain that may leave as

many as 100,000 low-income families at-risk. The study also found that HUD's formula creates over-funding and under-funding distortions by fixing Housing Assistance Payment (HAP) costs at a point in time and then



adjusting it by an uniform and imprecise inflation factor. Given the Department's stretched resources, NAHRO maintains that HUD's FY 2004 renewal formula will likely prove to be an inefficient way to fund a program for almost 2 million low-income families,

and that the policies are not consistent with the intent of Congress.

NAHRO's study of 2,435 housing agencies is based upon the FY 2004 Omnibus Appropriations Act, HUD's renewal funding methodology as defined in PIH Notice 2004-7 (HA) and its subsequent reports to Congress. NAHRO's study is also predicated on the assumption that the Department will allow agencies to use their Annual Contributions Contract (ACC) program reserves for authorized leased units

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Section 8 Funding Problems Continue

Recent Department of Housing and Urban Development (HUD) action to stem the funding crisis in the Section 8 Housing Choice Voucher program is insufficient, according to a new analysis from the Center on Budget and Policy Priorities. As a result of funding shortfalls, some housing authorities are reducing the number of families served, increasing the tenant share of rent burden, or cutting rent levels. Because of the uncertainty surrounding the program, some voucher holders are being told by property managers that their leases will not be renewed.

Shortly after HUD announced its new funding formula in late April, housing experts discovered that some housing authorities would not receive enough funding to pay for vouchers that were being used at the time. This led to complaints from housing advocates and many Governors, Senators, and Representatives, including Utah Governor Olene Walker. HUD responded by modifying the application of the formula and identifying other funds that housing authorities could use to cover the

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Urban Institute Web Resource on Housing

The Urban Institute has dedicated a new section of its website to "Housing America's Low-Income Families: A Research Focus of the Urban Institute." This research contributes to the ongoing debate about how best to provide permanent housing for low-income families.

The Urban Institute researchers explain four key findings and provide a list of specific support resources. The main findings include:

- ☞ Affordable housing strategies must respond to local market conditions, but still serve the families who are in greatest need.
- ☞ The HOPE VI program should be continued, but with more attention to the challenge of relocating former residents.
- ☞ Housing voucher recipients are more likely than residents of public and assisted housing to live in low-poverty and racially mixed neighborhoods.
- ☞ Federal deregulation reforms and proposals are unlikely to hold the solution to today's housing policy challenges.

The website also includes a list of the Urban Institute housing research team and easy links for information on other housing topics. This web resource can be found at <http://www.urban.org/content/IssuesInFocus/HousingAmericasLow-IncomeFamilies/Housing.htm#about>

"The Benchmark" Débuts in Chicago

If you are interested in social issues that challenge us all and enjoy great theater, you can get a two-for-one by attending "The Benchmark," a play written by Rick Roberts, Chicago writer and video/film producer. The protagonist is a composite based on the lives of three homeless individuals, one of whom was Roberts' late father.

This play in three acts is directed by Jonathan L. Thomas, founder of Simple Theater Productions. "The Benchmark" follows a homeless man named "Mark," who lives on a park bench, as he recollects the events in his life using social commentary, satire, and biting humor. The play shows how his struggles can encompass everyone.

Roberts' past television productions have included *The Corner Pub*, *The Long Way Home*, and the Gracie Award winning *The Hunger Heroes*. Onetime Executive Director of the Chicago Christian Industrial League, he is currently the consulting Director of Central City Housing Ventures, a not-for-profit consortium of Chicago churches and synagogues working to preserve and expand affordable, supportive housing in Chicago.

Performance times are at 7:30 p.m. on Friday, August 6, Saturday, August 7 and Sunday, August 8, 2004, at the Holy Name Cathedral Parish Auditorium, North State Street at Superior Street, Chicago, Illinois.

Tickets are \$10 General Admission and \$20 Underwriter Priority Seating.

All proceeds benefit CCHV. The Holy Name Cathedral Parish, Human Concerns Commission, will collect non-perishable food donations. "The Benchmark" addresses adult issues and is not suitable for children under 16. See it before it's a hit!

For further information, contact producer Kelly Werremeyer at (312) 296-0243/kwerremeyer@taltrade.com

SuperNOFA Corrections

On June 22, 2004, HUD published a series of technical corrections to the May 14

SuperNOFA Changes involve both the General Section and the Program Section for the McKinney-Vento Homeless programs. They may be found on page 34878 of the Federal Register for that date. To download a copy of the notice, go to <http://a257.g.akamaitech.net/7/257/2422/06jun20041800/edocket.access.gpo.gov/2004/pdf/04-14131.pdf>

Section 8

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shortfall. The Center's recent analysis shows that these measures will still leave a significant shortfall, even though Congress has provided enough funding.

To view the Center on Budget and Policy Priorities analysis, see: <http://www.cbpp.org/4-26-04hou.htm>

Homeless Headlines



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The Illinois Community Action Association has published the monthly *Homeless Headlines* and the *Homeless Hotline* since 1991 under contract with the Illinois Department of Human Services.

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IHDA Seeks Comments On American Dream Amendment to State Consolidated Plan

The State of Illinois has announced an amendment to its HUD Consolidated Plan - Action Plan for Calendar Year 2004. The American Dream Downpayment Act (Public Law 108-186) was signed by the president on December 16, 2003, authorizing the American Dream Downpayment Initiative. The American Dream Downpayment Initiative (ADDI) is a new formula grant component within the HOME Investment Partnerships Program. ADDI is designed to provide downpayment assistance to low-income families who are first-time homebuyers. ADDI

provides for targeted outreach to those households most in need of homebuyer assistance, including residents of public housing, manufactured housing, and other families assisted by Public



Housing Authorities. ADDI requires homebuyer counseling for all program participants on understanding the loan process, legal documents and obligations, as well as budgeting, financing, home maintenance, and

work-out options with lenders in case the homeowner experiences financial difficulties. The American Dream Downpayment Initiative will enhance existing homebuyer assistance already available under Illinois' HOME program.

Since ADDI constitutes a major statutory change in the HOME Program component of the federally mandated Consolidated Plan, the State of Illinois has issued an amendment to the HOME Program portion of the Plan. There will

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Washington Update

FY 2005 Budget

It appears increasingly likely that a budget resolution could be dead for the year. As the budget is essentially a blueprint for Congressional appropriators, Congress's lack of a budget resolution has stalled work on FY05 appropriations. The appropriations committees have not as yet scheduled a date for the VA/HUD bill to be considered, and the Congressional session is drawing to a close. It is becoming increasingly likely that Congress will either try to package several appropriations bills and pass them as a group, or that it will decide to pass a continuing resolution that would fund programs based on current levels through the start of the 2005 fiscal year, which begins October 1.

This week, House Appropriations Committee Chair Jim Walsh (R-NY) was quoted in the Syracuse Post Standard saying that that President Bush's proposed cut for the housing voucher program in FY05 "won't pass." (This does not effect the current Section 8 voucher controversy. See stories on page 1.) Mr. Walsh went on to say that

his goal is to provide at least level funding for the Section 8 program. This May mean that Mr. Walsh will provide the additional money necessary above that requested in the budget to ensure all Section 8 vouchers holders will be funded.



Budget Process Bill Defeated

The House defeated, by a vote of 146-268, budget process legislation that would have set harmful multi-year spending caps on discretionary spending. As expected, House Appropriations Committee Chair Bill Young (R-FL) led the charge against the bill, opposing writing spending caps into law. Mr. Young saw the caps as an intrusion on Congress' authority on spending matters.

Members in favor of spending caps offered a number of amendments in an attempt to "improve" the budget process, including amendments to cap

the growth of entitlement programs and to require pay-as-you-go offsets for discretionary spending but not for tax cuts. Representative Mark Kirk (R-IL) led the attempt to cap entitlement spending, but his amendment was defeated 120-296.

Congress left the Capitol June 25 for its July 4 recess, and it is still unclear when the VA/HUD appropriations bill will be considered. When Congress returns on July 6, members will have only two weeks to work before adjourning for the six-week summer recess.

Rural Housing Program Gets Some Support

The House Appropriations Committee passed its FY05 agriculture and related agencies spending bill on June 23. Due to the work of Representative James Walsh (R-NY), the Section 515 rural rental housing program was appropriated \$116.1 million, a relatively modest \$400,000 short of its FY04 funding level. During appropriations subcommittee mark-up of the bill on

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NAHRO

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and actual HAP costs in excess of their Annual Budget Authority (ABA).

NAHRO Findings



NAHRO's study found:

- HUD's Section 8 Policy May Put As Many As 100,000 Low-Income Families At-Risk:** Even after factoring in HUD's inflation factor and recent replenishment of program reserves, HUD's de facto budget-based renewal formula would still leave a national renewal funding shortfall of over \$180 million that would harm nearly 35,000 low-income families, as well as participating property owners, and local communities. Nearly 100,000 low-income families will be put at-risk because of the Department's decision to require agencies to offset renewal funding shortfalls by their 2004 fiscal year end dates, rather than by December 31. NAHRO's

national and state-by-state analysis of this issue can be accessed at: www.nahro.org/documents/2004/0528HUDImpFY2004SHAPRenFom.pdf
 A condensed version of this analysis can be found at: www.nahro.org/documents/2004/0602Impact.pdf. The Illinois data from the condensed table accompanies this article.

- Section 8 Housing Costs Are Modest, but HUD's Full Inflation Factors Are Even More Modest:** Housing agencies' annual average per unit Housing Assistance Payment costs will increase by approximately 3.8 percent from 2003 to 2004, compared with HUD's inflation factor of 1.9 percent. At the 1999 Negotiated Rulemaking Committee the Department acknowledged the inadequacy of its annual adjustment inflation factor for Section 8 contract renewals, but has not made any improvements. NAHRO's national and state-by-state analysis of this issue can be accessed at: www.nahro.org/documents/2004/0528HAPCosts2003to2004.pdf

- HUD's Renewal Formula Over-Funds and Under-Funds Agencies:** HUD's FY 2004 patchwork renewal system does not provide for an efficient use of limited resources, compared with a renewal system based on actual housing costs as permitted under current law. NAHRO's study found that HUD's renewal system will over-fund some agencies while under-funding others. What makes this decision particularly hard to understand is that HUD's renewal formula would over-fund 42 percent of all agencies' base renewal funding in the amount of nearly \$270 million - more than enough to cover the funding shortfall also created by HUD's formula interpretation.

HUD's recently announced inflation factor - a full FY 2004 Annual Adjustment Factor - breaks with past practices by failing to apply both applicable and continuous inflation factors. HUD's inflation factor will leave over 850 agencies without any inflation adjustment at all, prior to their appeals. To underscore the inadequacy of

HUD's inflation factor, NAHRO's study found that over 440 additional agencies' rate of increase in their HUD approved Fair Market Rent still exceeds the rate of HUD's modest inflation adjustment.

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<p align="center">NAHRO Impact Analysis: HUD FY 2004 Section 8 Renewal Funding Policy (PIH Notice 2004-7) 2-Jun-04</p>						
State	Shortfalls Produced by HUD Renewal Formula for 2004 a/			Remaining Shortfall after Affected Agencies Exhaust Rainy-Day Funds b/		Number of Families Affected Once Effects of Shortfalls are Compounded by HUD Requirement to Absorb Shortfalls During Agency Fiscal Year c/
	Total \$ Shortfall	# of Agencies Affected	Shortfall in # of Assisted Families	Total \$ Shortfall	Shortfall in # of Assisted Families	
Illinois	(\$8,869,108)	51	-1418	(\$2,446,370)	-536	-1134
National Total	(\$359,241,070)	1553	-58261	(\$183,261,546)	-33942	-96270
National Median	(\$2,971,051)	18	-686	(\$724,204)	-246	-488

a/ While HUD's renewal formula produces shortfalls in many communities, it actually overfunds other agencies based upon outdated information. Nationally, funds misallocated to agencies with level or declining costs exceed the amount of post-rainy-day-fund shortfalls.
 b/ Includes both HUD's recently-announced \$150 million partial restoration of rainy-day funds (program reserves) and the Voucher Renewal Central Reserve.
 c/ HUD is requiring agencies to absorb the effects of any shortfalls by the conclusion of the agency fiscal year (e.g., June 30, Sept. 30) rather than by the 12/31/04 end of HUD's administrative year. By reducing the amount of time agencies have to absorb any shortfalls, HUD greatly compounds their effects.
 Contact: Jonathan Zimmerman, NAHRO Policy Analyst 202-289-3500

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As of January 31, HUD's inflation factor leaves approximately 58 percent of all agencies under-funded in their base renewals, by a total of approximately \$190 million. By December 31, 2004, NAHRO's study indicates that HUD's renewal formula will under-fund total base renewals by nearly \$360 million. These agencies' actual HAP costs were 3.1 percent greater than HUD's modest inflation factor.

Meanwhile, NAHRO's analysis found that over 42 percent of all agencies are being over-funded by a total of approximately \$160 million as of January 31, 2004. By December 31, 2004, NAHRO's study indicates that HUD's renewal formula will over-fund agencies' base renewals by nearly \$270 million. These agencies' actual HAP costs were 2.1 percent less than HUD's modest inflation factor.

- **Replenishment of Program Reserves is Inadequate and Distribution of Funds is Improper:** HUD's recently-announced restoration of program reserves to 500 agencies totaling \$150 million still leaves more than \$270 million not replenished by the Department to hundreds of agencies last year, which will likely compound their renewal funding shortfalls this year.

NAHRO's study found that nationally, there is almost an entire month's worth of funding in agencies' one-month program reserves. However, HUD appears not to have properly distributed these funds. As a result, hundreds of agencies that were not annually over-leased

in FY 2003 are operating in FY 2004 with much less than one-month project reserves while others have none, and still other agencies are funded at amounts in excess of what they need.

- **Adequate Funding Exists To Continue Section 8 As a Unit-Based, Actual-Cost Program:** When taking into account \$12.839 billion in direct appropriations, unobligated funds from FY 2003 and prior years, hundreds of millions of dollars available in agencies' program reserves, and a 2.8 billion rescission, it appears that there is sufficient funding to operate the Section 8 program overall, including voucher renewals at actual HAP costs. The Department's recent white paper on the Flexible Voucher proposal (May 18, 2004) states that it anticipates a one-time savings of \$450 million from the virtual elimination of one-month program reserves.
- **Over-leasing Claims Are Overstated:** Less than 2 percent of the nation's housing agencies had more than the allowable numbers of families leased over the last year and stand to experience shortfalls in 2004.
- **Improper Cuts in Administrative Fees are Undergoing Revision, but Funding of Administrative Fees is Still Inadequate:** The Department's recent letters to housing agencies revealed cuts of 13 percent or more in administrative fees. On May 26, HUD stated that the Local Housing Agencies' (LHA) industry position that the Department's pro-rata formula methodology did not comport with the statutory language was well taken. HUD has

agreed to reconsider the method of pro-rating the fees in light of industry concerns. While it appeared to many members of Congress that they were providing increased administrative funding, NAHRO has learned from the Department that even with their pending change in the pro-rata formula there is insufficient administrative fee funding to accomplish this goal.

Conclusion

NAHRO has undertaken this study to examine the impact of HUD's Section 8 Housing Assistance Payment renewal policy nationwide. NAHRO's study raises questions with respect to the impact of the Department's FY 2004 renewal policy.

The Department's recent funding announcements are welcomed. However, an inadequate patchwork renewal funding system is still in place—a system with the potential for leaving communities in the untenable position they are in today, through the remainder of the year, and beyond.

A list of NAHRO's recommended regulatory reforms that could be undertaken now without any new legislation, can be accessed at: www.nahro.org/documents/2004/0528HUDCanActNow.pdf

If you have questions or comments, please contact Housing Policy Analyst, Jonathan Zimmerman at jzimmerman@nahro.org

For further information, contact:

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American Dream

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be a 30-day public comments period from June 14 to July 14, 2004. The complete text of the amendment is included below and is also available for download on the Illinois Housing Development Authority website at: www.ihda.org- Printed copies of the amendment can be obtained by

contacting the Office of Housing Coordination Services of the Illinois Housing Development Authority at the address below.

Written comments on the American Dream Downpayment Initiative amendment to the Consolidated Plan - Action Plan 2004 are to be mailed directly to IHDA. All written public comments must be received by IHDA

by close of business on July 14, 2004 for them to be considered.

**Illinois Housing Development Authority
Office of Housing Coordination Services (OHCS)
Attention: Consolidated Plan – Action Plan 2004**
401 N. Michigan Ave., Suite 900
Chicago, Illinois 60611
(312)836-5383

IHDA's Proposed Consolidated Plan Amendment Homebuyer Program Requirements and Resale Provisions

The Authority in laying out its parameters for a homebuyer program, seeks to maximize the effect of its HOME funds through creative partnerships with private financial institutions. In order to maximize the number of homebuyers to be served, the Authority will allow HOME funds to be used in homebuyer programs for down payment and closing cost assistance, rehabilitation, and for principal reduction. The use of HOME funds in homebuyer programs may be expanded to include new construction.

The American Dream Downpayment Initiative (ADDI) a new formula grant component within HOME, will enhance existing homebuyer assistance already available under the state's HOME program. The Authority will utilize the following allocations, as provided by HUD:

FY 2003 ADDI Funds	\$ 992,347
FY 2004 ADDI Funds	\$1,139,729

HOME ADDI funds are specifically for first time low- and very low-income homebuyers. Preference will be given to eligible non-profit sponsors or units of local governments who seek to assist households with incomes under 60% of area median income and who target occupants of public housing, trailer parks, manufactured housing, and to other families assisted by public housing agencies. The Authority will likely seek to leverage

ADDI fund with first mortgage programs, such as IHDA's Mortgage Revenue Bond program, or other lending partnerships, committed to reducing the homeownership burden.



A description of the ADDI funds and information for targeted homebuyers will be made available on IHDA's website at www.ihda.org. In addition, IHDA will target programs and do outreach specifically to organizations that serve the targeted participants as listed in the paragraph above, such as Illinois Community Action Agencies and Public Housing Authorities. Funded organizations will prepare an IHDA approved Participant Selection Plan detailing their outreach to the targeted populations in their service areas.

In order to insure the suitability of families receiving ADDI assistance to undertake and maintain homeownership, IHDA will require that homeownership counseling be provided to all HOME and HOME/ADDI assisted homebuyers. The counseling should include components of budgeting and financing, routine home maintenance, understanding the loan process, understanding legal documents and obligations, and work-out options with lenders in case the homeowner experiences financial difficulties.

Administering entities may provide counseling themselves, or contract with a non-profit organization, mortgage insurance company, or participating lender to provide the counseling.

The HOME regulations require that a house purchased with HOME funds must be kept affordable for an extended period of time through resale restrictions which have been determined by HUD to be appropriate. The period of affordability is based upon the HUD guidelines for amount of HOME funds per unit. The Authority has established resale restrictions which enable recapture of the full HOME subsidy out of net proceeds, except that the HOME investment amount may be reduced prorata based on the time the homeowner has owned and occupied the unit measured against the required affordability period, or if the net proceeds are not sufficient to recapture the pro-rata HOME investment plus enable the homeowner to recover the amount of the homeowner's downpayment, principal payments, and any capital improvement investment. Net proceeds means the sales price minus loan repayment and closing costs. The recapture provisions will be included in a recorded recapture agreement or in the recorded mortgage documents for each house assisted with HOME funds. ■

Sixth Annual
**HUD Peer-to-Peer
Homeless Provider Conference**

The HUD Field Offices for **Illinois, Missouri and Wisconsin** are pleased to bring together Supportive Housing, Shelter Plus Care, and Single Room Occupancy grantees and potential grantees for the Sixth Annual Peer-to-Peer Homeless Provider Conference. The conference will be held at:

**The Cliffbreakers
Rockford, Illinois
September 21 and 22, 2004**

A block of rooms has been reserved at \$70.00 plus tax per night. Call (800) 478-9395.

Providers will share ideas and experiences on homeless housing and services. Homeless providers from all three states will present sessions that address the kinds of issues and concerns common to projects that serve homeless individuals and families. HUD believes that these issues are best addressed by homeless providers with “on the job” knowledge and experience. HUD’s goal is to provide an opportunity for:

- ☞ Homeless providers to learn from their peers;
- ☞ HUD to understand grantee issues and concerns; and,
- ☞ Furthering relationships within the homeless provider community in Illinois, Missouri and Wisconsin.

A brochure will be mailed in mid-July. The event will also be posted on the Illinois Community Action Association web site at www.icaanet.org. **For further information**, contact Darrel Bugajsky at (312) 353-1696, ext. 2716. ■

Washington Update

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June 16, funding for the Section 515 program was cut to \$60 million, the amount requested by the President.

According to the Housing Assistance Council (HAC), Mr. Walsh went to bat for the program at the urging of his constituents, including the New York State Rural Housing Coalition and the National Rural Housing Coalition. The Section 515 rural rental housing program is the Rural Housing Service’s only construction program for very low income housing. HAC reports that Mr. Walsh was able to work with Representative Henry Bonilla (R-TX), Chair of the Agriculture and Related Agencies Appropriations Subcommittee, to include the Section

515 increase in Mr. Bonilla’s manager’s amendment, thereby limiting controversy over the spending increase during the full committee mark-up. It is unclear when the Senate will begin work on its agriculture spending bill.

Temporary TANF Extension Passes

A temporary extension of the TANF welfare law passed both the House and Senate on June 22. Congress, still unable to pass a permanent TANF reauthorization bill, agreed to extend the program with no changes to current law until September 30, 2004.

The extension does not include the superwaiver language that had been included earlier in the year in a House

measure. Such language would allow governors to waive federal laws and regulations related to the integration of various welfare and workforce programs, including housing and homelessness. The earlier Senate bill did not include housing in its superwaiver provision.

With Congress planning to adjourn by October 1 to prepare for the elections, there will likely not be enough time to complete TANF reauthorization this session. In that case, lawmakers will have to vote on another extension to carry the program into the next Congress.

For further information, contact the National Low Income Housing Coalition at the address in *Headlines Directory*. ■



Headlines Directory

Center for Community Change

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Center on Budget and Policy Priorities

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Coalition of Citizens With Disabilities in Illinois

300 E. Monroe, Suite 100
Springfield, IL 62701
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Fax: (217) 522-7024
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<http://www.inw.net/~cedi/>

Corporation for Supportive Housing

1 N. LaSalle, 12th Floor
Chicago, IL 60602
Phone: 312 6976125
Fax: 3123467280
Email: il@csh.org
www.csh.org

Food Research and Action Center

1875 Connecticut Avenue, NW, # 540
Washington, D.C. 20009
Telephone: (202) 986-2200
Fax: (202)986-2525
foodresearch@frac.org

Housing Assistance Council

1025 Vermont Ave. NW, Suite 606
Washington, D.C. 20005
Telephone: (202) 842-8600
Fax: (202) 347-3441
<http://www.ruralhome.org>

Illinois Coalition Against Domestic Violence

801 S. 11th
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<http://www.ilcadv.org>

Illinois Coalition to End Homelessness

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Illinois Community Action Association

3435 Liberty Drive
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Illinois Department of Commerce and Economic Opportunity

620 E. Adams, Fifth Floor
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Illinois Department of Human Services

Homeless Services and Supportive
Housing
400 W. Lawrence, 2C
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Illinois Housing Development Authority

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National Alliance to End Homelessness

1518 K Street, NW, Suite 206
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National Coalition for Homeless Veterans

333 1/2 Pennsylvania Avenue, SE
Washington, D.C. 20003-1148
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<http://www.nchv.org/home.html>

National Coalition for the Homeless

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National Law Center on Homelessness & Poverty

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National Low-Income Housing Coalition

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Rural Development

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Southern Illinois Coalition for the Homeless

P.O. Box 955
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Statewide Housing Action Coalition

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Fax: (312) 939-6822

Supportive Housing Providers Association

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U.S. Department of Housing and Urban Development

Office of Community Planning and
Development
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<http://www.hud.gov/local/chi/chihome.html>