

THE PUBLIC HOUSING TENANT PROTECTION AND REINVESTMENT ACT OF 2017

BACKGROUND

Public housing is a critical public asset that has served an important role on the continuum of affordable housing since the 1930s. The program is integral to our nation's social safety net, providing safe, decent, and affordable housing for approximately 1.1 million families. The program serves a population of "hard to house" people who face challenges that often make it impossible for them to obtain adequate and affordable housing in the private market.

Over the last several years, public housing has been plagued by chronic underfunding, resulting in: a backlog of capital needs of well over \$26 billion and growing; a large amount of severely distressed public housing concentrated in neighborhoods of extreme poverty; and families facing deteriorating living conditions. As a result of this disinvestment, the program has lost thousands of units due to demolition and disposition, partially due to previous revitalization programs that failed to require one-for-one replacement. We continue to lose thousands of units every year. We need a holistic approach to fully support the revitalization of public housing and to stop the loss of public housing units that includes full funding for the public housing program, one-for-one replacement of public housing units, robust tenant protections during the revitalization process, and the creation of the financial tools necessary to transform neighborhoods of extreme poverty into communities that will improve the quality of life of current and future residents.

SUMMARY

The intent of this bill is to:

- transform neighborhoods of extreme poverty by revitalizing severely distressed public housing, while simultaneously improving access to economic opportunities, supportive services, education programs, public assets, public transportation, and jobs;
- require the one-for-one replacement of public and assisted housing dwelling units that are demolished or disposed of;
- provide for increased tenant protections through the revitalization process;
- ensure that current residents benefit from transformation by preserving affordable housing in the neighborhood and, to the maximum extent possible, providing residents the choice to stay in their communities or move to affordable housing in another neighborhood of opportunity;
- protect public housing as a critical public asset;
- restore robust funding for the public housing program; and
- support public housing residents through job training to provide for increased earnings and positive life outcomes.

Title I – The Public Housing One-for-One Replacement and Tenant Protection Act of 2017

The *Public Housing One-for-One Replacement and Tenant Protection Act* would virtually end the loss of public housing units by requiring one-for-one replacement for any demolished or disposed units, while also addressing concerns of housing authorities by providing a limited waiver of the one-for-

one requirement. The bill strengthens protections for residents throughout the revitalization process, including: stronger notification requirements; increased resident involvement in the planning and implementation stages; more robust tenant protections regarding relocation; and prohibiting the use of rescreening criteria to keep otherwise qualified residents from returning to public housing units. The bill also disallows the use of Subpart B of Part 970 of the Department of Housing and Urban Development's (HUD's) proposed regulations, which allows for the demolition and disposition for public housing dwelling units.

Title II – The Public Housing Preservation and Rehabilitation Act of 2017

The *Public Housing Preservation and Rehabilitation Act* provides housing authorities with key financial tools to rebuild and preserve public housing. The bill reauthorizes the public housing Operating Fund and Capital Fund at such sums as may be necessary to fully fund the estimated annual needs of public housing operations and maintenance. The bill also authorizes an additional \$5 billion annually to begin to address the backlog of capital needs of public housing, which is approximately \$26 billion and growing. The bill allows the Secretary of HUD to establish the Capital Fund Loan Guarantee, which would allow housing authorities to attract private investment to rehabilitate public housing properties and/or finance energy efficient improvements through a loan guarantee fund. Because the Fund would be backed by the full faith and credit of the federal government, it minimizes the appropriations risk present in other current public housing financing programs. The bill also strengthens requirements for public housing properties that utilize tax credits to ensure, to the maximum extent possible, the preservation of public interest in those properties, long term affordability, and tenant protections. This title also lifts the restriction on the construction of new public housing units.

Title III – The Choice Neighborhoods Initiative Act of 2017

The *Choice Neighborhoods Initiative Act* provides statutory authorization for the Choice Neighborhoods Initiative (CNI), a program that has been successfully providing grants to public housing authorities and other entities to revitalize neighborhoods and preserve affordable housing. This bill would require that at least 80 percent of CNI funding annually be spent on revitalizing severely distressed public housing. CNI builds on and improves the HOPE VI program, which unfortunately did not require the one-for-one replacement of units that were demolished or removed from public housing, resulting in a loss of thousands of public housing units over the course of several years. Also, many displaced residents of HOPE VI properties who wanted to return to a development after it was rebuilt were screened out and denied a unit. This bill solves many of the shortcomings of the HOPE VI program through a mandatory one-for-one replacement requirement, robust tenant protections that mirror the protections included in Title I of this bill, and increased accountability to the federal government.

Title IV – The Together We Care Act of 2017

The *Together We Care Act of 2015* would create job opportunities for public housing residents by establishing a training program for public housing residents to become in-home health care aides to elderly and disabled public housing residents. There is a growing need for programs that provide home-based health services to residents of public and assisted housing, and there is also a need to provide job training and job placement for persons receiving federal assistance—this bill provides for both purposes.