Weekly COVID-19 Housing & Homelessness Call

Wednesday, August 19, 10:00-11:15am via Zoom

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| Time | Topic | Lead | Notes |
| 10:005 min | Welcome & Settle in | Rachael Myers, Housing Alliance | * Welcome, please share your name, org and anything to share in the chat
* Went over agenda
* Commerce is here along with Trista Bauman talking about a recent court ruling as well as regional representatives talking about how people are implementing the rental assistance program in thier areas. We’ll also have a federal update from Joey Lindstrom
* We will move this meeting to every other week
* We will fill in some of the weeks with other webinars and trainings, conversations mostly related to the legislative session – we will put out a calendar for this so please keep an eye out for that
* Rachael also asked for speakers to speak slowly, close to their computers, to use the Otter.ai (artificial intelligence) notes for transcription, please also state acronyms
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| 10:055 min | Poll Questions | * We are skipping the geography question today as we’ve seen the trend that the majority of folks are coming from the King County metro area
* 1. What hats are you wearing today?

* 2. Have you been following the recent court decision which ruled that Grants Pass OR, violated its homeless residents’ Eighth Amendment rights by excluding them from parks without due process and citing them for sleeping outside?

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| 10:1010 min | Updates on the state’s COVID-19 homelessness response | Tedd Kelleher, Dept. of Commerce | * This update is on rental assistance funding.
* If your organization is having issues getting rental assistance grants out to folks, don’t hesitate to reach out
* Context for best practices to spend grants: when Commerce releases a grant their expectation is that if it is a 1 to 2 year grant that it will be budgeted over 1 or 2 years
* With this round of grants the expectation and hope is that Counties will spend out funds quickly
* If you have received part of the rental assistance, then please spend it out quickly so that you can be eligible for additional funding
* Question for Commerce: Has/Will OFM change the deadline for the first 'tranche' of CARES $$ to Dec 31st 2020? (currently 10/31/20)
* A: The money we are talking about now does not have a deadline for Dec 31
* Question about Emergency Solutions Grant (ESG) money from HUD: that is 2 year funding, it is better to prioritize asks for the 100 million rental assistance
* Q: what can we do to help spend out rental assistance?
* A: Make sure that organizations know that the resource is available and that it is urgent to secure it.
* Q: Is coordinated entry still the best place to send folks with housing needs?
* A: Yes
* Q: What is the mechanism by which you'll be measuring our progress distributing the rental assistance to historically underserved populations if not through homeless management information system?
* A: On our website in the program guidelines, there's an Excel form that's required that tracks this info. It doesn't include any identifying information - but it does include race and ethnicity. It has a second tab that calculates automatically the proportions and we'll be compiling that at Commerce and feeding it back to grantees.
* Q: Is anyone checking the time lag between time of application to eligibility to check being cut?
* A: We do not have a system in place for this right now since decided to prioritize being nimble and quick and because of this are not tracking the same number of variables that we normally track.
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| 10:2015 min | Oregon’s recent court ruling protecting the 8th Amendment rights of people experiencing homelessness | Tristia Bauman, National Law Center on Homelessness and Poverty | * Tristia is a senior attorney at the National Homelessness Law Center (formerly National Law Center on Homelessness and Poverty).
* Talking briefly on *Grants Pass* case, interprets *Martin v Boise*, which interprets the scope of 8th amendment rights
* It’s not binding precedent. It probably will be appealed, so we don’t know what the precedent effect will be.
* It’s telling in how courts look at the patchwork of laws leave no place for unhoused people to rest.
* Quick reminder on what the case found: *Martin v Boise* found that 8th amendment prohibits punishment for universal and unavoidable resting activities performed by people who are involuntarily in public space (unhoused people). To punish people for that is unconstitutionally cruel.
* The narrowest reading is that the 8th amendment clause only applies to criminal penalties, and that narrow reading has been challenged.
* Ultimately, what the broader reading means is that civil penalties like fines for sleeping outside are punishment. That’s important because a number of cities enforce a system of punishment that results in issuance of tickets instead of arrests.
* The court in *Blake* found that the tickets being issued as a form of punishment. It’s a matter of statutory construction. Any city or government that thinks they can get around 8th amendment through civil penalties and tickets and fines, that is not the case.
* Distinctions between the *Martin* case and the *Grants Pass* case: the *Grants Pass* case was brought on behalf of the class of 602 people counted as unsheltered living in the city of Grants Pass, challenging a patchwork of laws. In Boise there were two laws of disorderly conduct to the camping ban.
* In Grants Pass there are a number of different camping bans that cover different types of public spaces, including sidewalks. They are enforced with tickets and with trespass bans.
* The patchwork of laws was designed as part of an action plan for addressing homelessness, and the goal was to make life so uncomfortable for unhoused people that they would be encouraged to go elsewhere. They pointed to land outside the city where people could go.
* The court found that pointing to land outside of the city does not qualify as the type of accessible alternative contemplated in the *Martin* case. The city would need to have some other type of alternative.
* Grants Pass has no alternative shelter and no housing available.
* A patchwork of ordinances can combine to leave no lawful place where people can live outside. You really need to look at the entire policy scheme.
* At one point the city removed the word sleeping from the ordinances, but the court found that removing the word sleeping is not enough.
* Aside from the cruel and unusual punishment claim, the court also found that these punishments of issuing of tickets are excessive fines because they’re grossly disproportionate to the offense.
* Because of the use of trespass laws and the lack of process, the court also found that the policy scheme and Grants Pass law violates due process. As soon as a trespass ban is issued against you it applies for a minimum of 30 days in all parks, and if found again in the park you can be banned for as long as a year. There is a high interest in accessing parks, particularly for unhoused people.
* People should not run out and file lawsuits under the authority of this opinion.
* Q: Is there a white paper that cities can use to ensure their policies are in line with current laws and court decisions.
* A: no white paper, but there is a lot of reporting on laws that have been struck down and case studies of schemes that have worked. Tristia welcomes opportunity to speak with any lawmaker about the policies on the books and how they might be reformed, and to make sure they are policies that are effective at addressing homelessness.
* The Housing Alliance developed a tool kit in 2014 on alternatives to criminalization policies. We’re in the process of updating that document and will share that once it’s complete.
* Q: Are there any other cases pending?
* A: There are a lot of other cases pending right now, all in various stages and in different circuits. The impact of Martin has been national and we’re seeing cases across the country challenging the use of criminal and civil penalties levied against people who literally have no place to go.
* Q: Which jurisdictions have had the best success with addressing encampments in public parks that balance the needs of people experiencing homelessness with the housed public's desire to use the parks?
* A: There is no community that we are aware of that has taken a straight line from “we have bad policies” to better policies. Unfortunately, it’s a politically fraught issue. We have examples of programs and policies that have worked but political pressure will push communities backward. There are stories of cities that have been on positive trajectories using a combination of different policies that have produced results.
* Ultimately, the only thing that does work is adequate housing.
* There is no silver bullet, but there are examples and case studies of communities that have shown real tangible results, even if political pressure and the scope of the challenge means they are no longer in that good place.
* Q: Is there anything happening on the front to make people experiencing homelessness a protected class?
* A: There have been some efforts. We support the Washington State effort to do that. We hope that we’ll see additional legislation to enact a homeless bill of rights and prohibit criminalization. San Francisco Human Rights Commission is looking at adding housing status as a protected class, and DC has looked at a similar effort.
* It hasn’t taken hold as much as we might like, but it is an option. People do face discrimination based on housing status alone, and that has a disparate impact on black and brown people.
* You can read more about the criminalization of homelessness and policy alternatives at: [https://nlchp.org/wp-content/uploads/2019/12/HOUSING-NOT-HANDCUFFS-2019-FINAL.pdf](https://nlchp.org/wp-content/uploads/2019/12/HOUSING-NOT-HANDCUFFS-2019-FINAL.pdf%E2%80%A9)
* You can read policy recommendations and case studies specific to encampments at <https://nlchp.org/wp-content/uploads/2018/10/Tent_City_USA_2017.pdf>
* You can read about policy recommendations to protect renters and prevent homelessness at <https://nlchp.org/wp-content/uploads/2018/10/ProtectTenants2018.pdf>
* You can find constructive program and policy info re: responses to COVID-19 on our coronavirus webpage: <https://nlchp.org/coronavirus/>
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| 10:3510 min | Implementing the Eviction Rental Assistance Program (ERAP) in Lincoln, Stevens and Ferry Counties | Cruze Thompson, Rural Resources | * Emergency and Transition Manager for Rural Resources
* Using a call-in system for people to leave a voicemail which will go to an email
* Each of 5 staff will have one day’s emails a week. They will be responsible for all of the call-ins for that day
* The five staff who will be viewing the email will contact the client by phone to complete the eligibility packet and the staff will be responsible for as many of the columns as they have on their day. Our application packet has our agency intake form the household information and eligibility form. And in that, that form we will be asking for verification of income through pay stubs, Social Security award letters benefits verification.
* But if they're unable to provide that to us we will ask them if they wish to just self-certify and we will take that as their income. We also have our consent form to talk with landlords that'll be signed verbally, and we also have the DSHS consent form. Verify income if applicable. And then we'll have the landlord family or friend payment agreement. We will complete as much of that information on that form as we can with the tenant, and then we will contact the landlord directly to verify their connection.
* A W-9 will be required for new landlords and we will keep info in our files
* Goal is to have process completed within 24-72 hours dependent on how fast landlords can get paperwork in
* Every Friday report will come to Cruze to check
* Difficulties: Having family and landlords sign agreement forms and rural area makes it harder to keep in contact with people
* Rachael: How much $ will you receive and how many households that will serve?
* $380,000 for Stevens Ferry and Lincolns County
* Right now, 10k signed off on.
* I reached out to landlords and got a couple of people, but we will have to spend 18k/week in order to spend out grant
* Rachael: Do you expect to spend this?
* Yes, I do
* Rachael: Thank you for coming out on your vacation to be here with us
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| 10:4510 min | Implementing ERAP in Grays Harbor County | Cassie Lentz, Grays Harbor County | * It’s great to hear what other communities are doing with this program as many counties are building the plane while flying it
* In Gray’s Harbor County our allocation is $825,000 we have another allocation specifically for youth and young adults at $95,000 so we are just at $920,000 total. This will serve about 500 clients
* We are using a hub and spoke model to disperse funding. We are planning on implementing the program with public health as a centralized location as the hub and partner agencies as the spokes. Our partners will help people apply for assistances and send those applications over to us.
* We chose this model as we want to ensure access to a diverse group of folks who otherwise haven’t accessed social services before and might not show up at the front door of our local community action agency. We are partnering with nontraditional partners like churches or schools.
* We anticipate that a large majority of the applications will come through our community action agency because they are a known entity in our community, and they have a lot of experience with working with landlords
* We are hiring a temporary staff to carry out communication and reporting to fulfill requirements so that we are able to act swiftly and react if the funds aren’t being allocated to certain subgroups
* We are working with CAP alongside our information equity task force that is part of our COVID response here at public health that is working with Spanish speaking populations individuals with disabilities, and other folks that might be disproportionately impacted by COVID and or less likely to be accessing the new and fortified safety net programs that have been put into place so we're working with them to identify agencies and avenues that we might be best reaching people in the community.
* We are also working with our local NW justice project legal services to incorporate this application as part of the unlawful detainer cases so that folks are able to go through assistance programs first so that those who are falling behind on rent can use this avenue.
* Local organizations are doing housing counseling that offers resources to clients who might need additional counseling and budgeting.
* We are also partnering with a local credit union that has some development account options.
* One challenge we have experienced is that commerce had a press release that included local county information (by mistake) which led to an influx of calls from folks who needed resources prior to funds being available. We worked with local media to let people know that resources are still in development and to correct assistance messaging.
* We appreciate the time crunch to get resources out as quickly as possible
* Q: Liz Mills from Eastside Human Services Forum with a request. We are seeking input on 2021 state legislative priorities via this survey. Please help us by taking it. Only 9 questions! https://www.surveymonkey.com/r/3KVLXPL
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| 10:5510 min | Federal advocacy updates! | Joey Lindstrom, National Low Income Housing Coalition | * Update on federal assistance for rental assistance
* We know that our 100 million state rental assistance is a drop in the bucket compared to the need. We are working on a federal level to secure additional assistance.
* Was shocked to find out that Congress left for Summer recess without passing a Coronavirus Package.
* There is a lot happening to suggest that there is additional happening for the for Heros act, since with the rising need that creates a great demand for help.
* Senators want to appear tough on spending, whether they actually care about being frugal in the end.
* We have created a new report with the Aspen Institute on the tsunami of evictions that is coming without additional assistance (see link at bottom of this note segment)
* 30 million American households face the threat of eviction and upcoming third eviction
* We recently decided to host a day of action on Social Media that will be August 24th using the hashtags #DoYourJob and #GetBackToWork
* We are choosing Monday because it is the day that under the federal eviction moratorium expiration, it is the day 30 from the eviction notice a landlord need required to provide to evict a tenant
* We have created a story banking form to collect as many stories as possible about people who are facing eviction and other hardships due to the pandemic
* We are focusing on stories because many members of conference are not believing that eviction crisis is real and are seeing us as alarmists
* Reasons for lack of surge: Courts are not set up to process and landlords are also waiting to see if there will be rental assistance for their tenants currently in arrears
* There are several Republicans who are agreeing that rental assistance is a priority, however even they cannot negotiate for these numbers without a topline number of how much will be spent in the next relief package
* This is why we are focusing so heavily on campaigning. We will have materials such as sample tweets and sample scripts
* Q: Why so important to continue to reach out to our Senators
* Marketing experts will say that in order to get through to people you need to reach out 7 times, same is true for elected officials
* It is helpful to provide additional data with every ask even if you’ve already been in touch with representatives.
* If your members of congress are supportive, the staff can use these resources to leverage in congress. They will need to have the information to be advocates to wrangle others on their caucuses.
* I really hope what you'll be doing is just making sure that they know their constituents care very deeply about emergency rental assistance and eviction moratorium that's comprehensive and nationwide
* Q: Can you push for an extension for spending coronavirus relief funds (CRF)?
* We have not made extending the deadline for the spending of the coronavirus relief funds (CRF) a priority as we receive the rebuttal from Republicans that do not want to add additional relief funding when there is so much money unspent and lying around
* One of the ways states can strengthen their asks for the next spending package is that when they receive funds, they immediately deploy funds to strengthen communities.
* Q: Do you have any influence our ability to advocate for FEMA to respond better to the National Emergency? (commenter states to her knowledge, zero jurisdictions received FEMA funding for public assistance quarantine isolation or homeless, non-congregate sheltering and is now saying that they're going to discontinue preapproval for these activities)
* We are working to see that FEMA extends their funding to cover increased shelter capacity and hotel spending, but we see that pushing for rental assistance in the HEROES Act is a better way for funding.
* FEMA Working Group: [https://nlihc.org/covid-19-working-groupcalls](https://nlihc.org/covid-19-working-groupcalls%E2%80%A9)
* Story collection form: <https://docs.google.com/forms/d/e/1FAIpQLSeVxmV162LTwzmvQvx1sq-2EUTFTHyQFMT2XD5aNK4Xb7UgUg/viewform>
* Aspen Institute Report: <https://www.aspeninstitute.org/publications/national-eviction-risk-projections/>
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| 11:055 min | Announcements | Housing Alliance staff | * The Conference on Ending Homelessness will be remote, happening October 7-8. https://www.wliha.org/conference
* Because it’s remote, it will be more accessible to more people across the state and have very reduced registration fees. We hope to deliver the content to a much broader audience.
* We are doing a survey on our public policy priorities for 2021. The survey will close August 31 at 5pm. Please fill out that survey and let us know what you think we should prioritize. We want to hear from you.
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| 11:105 min | Q&A | * Ran out of time
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| 11:15 | Wrap-up & Adjourn | * Ran out of time
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From the chat:

WLIHA: Please take our Public Policy Survey which influences our 2021 legislative agenda. Tell us what you are seeing in your community regarding housing and homelessness! <https://www.surveymonkey.com/r/2021PolicySurvey?eType=EmailBlastContent&eId=c93f750b-1f88-4314-9e88-e176fdd6bc97>

NLIHC: Story banking form for the upcoming Day of Action on Monday: <https://nam11.safelinks.protection.outlook.com/?url=https%3A%2F%2Fnlihc.us4.list-manage.com%2Ftrack%2Fclick%3Fu%3De702259618becdc3f0451bd5d%26id%3D9ed169f848%26e%3D4bd5b54750&data=02%7C01%7Cbsimpson%40nhc.org%7Cbdecb2330c3445d56f7108d8445a95b4%7C7b80d255ea714d27aed486e9a91d6771%7C1%7C0%7C637334503170665727&sdata=H0j7w8iCX9oa3U0cb2YDx6PC5gIFMLmGSp3Z8ULw%2BDQ%3D&reserved=0>