



Housing Assistance Council  
HAC News

**Election's implications for assisted rural housing are uncertain.** Some key members of the House and Senate committees will not change, though some will (more details are below). Many staff will remain at USDA and HUD, though high-level positions at the state and national levels will turn over. There is greater uncertainty than usual about possible policy changes and that may be even more true for rural policy. "This election was decided by rural folks who feel ignored and forgotten," notes HAC Executive Director Moises Loza. "That's familiar to us. Rural areas had problems long before this election and will continue to have them. One thing is clear: the work of the rural housing network is as important as ever."

**Key committee changes slated for new Congress in January.** House Appropriations Committee chair Hal Rogers (R-KY) must step down because of term limits, and will be succeeded by Rep. Rodney Frelinghuysen (R-NJ) or Rep. Robert Aderholt (R-AL). Aderholt is expected to leave his post as Agriculture Appropriations Subcommittee chair, and subcommittee Ranking Member Sam Farr (D-CA) is retiring. New subcommittee heads have not yet been named. In the Senate, Thad Cochran (R-MS) will continue to chair the Appropriations Committee, while Sen. Patrick Leahy (D-VT) will become ranking member. The Senate ag subcommittee chair and ranking member, Sens. Jerry Moran (R-KS) and Jeff Merkley (D-OR), are expected to remain, although at press time it was rumored that Moran might become USDA Secretary.

**Current funding levels likely to continue through March 31.** Congress is expected to pass another continuing resolution to fund the government from December 9, when the current CR expires, through March 31. This would give the Trump Administration an opportunity to participate in decisions about final FY17 funding. Provisions in the FY17 appropriations bills developed in both houses earlier in 2016 – including increases in rental assistance funding needed to renew all existing contracts for both HUD and USDA – would be included in a CR only if spelled out in provisions known as "anomalies." The House and Senate appropriations bills for USDA both would increase funding for Section 521 RA and Section 542 vouchers, as well as for Section 523 self-help, and the Senate bill would add some rental preservation provisions, while the House bill would allow use of USDA vouchers for tenants in properties whose mortgages mature. Both Transportation-HUD appropriations bills would increase funding for several programs including vouchers, Section 202, and homeless assistance.

**Homelessness continues to decline.** HUD's 2016 Annual Homeless Assessment Report to Congress reports that nationwide homelessness, measured on a single date in January, fell 14% from 2010 to 2016. Decreases were higher among some populations: 23% for homeless families, 47% for veterans, and 27% for individuals experiencing chronic homelessness. Fifteen percent of the unsheltered homeless population and 13% of those with shelter were in balance of state and statewide Continuums of Care, which include most rural places.

**Violence Against Women Act protections expanded.** A final rule implements the 2013 reauthorization of the Violence Against Women Act, expanding housing protections to HUD programs beyond public housing and the tenant-based and project-based Section 8 programs that were previously covered. It also provides enhanced protections and options for victims of domestic violence, dating violence, sexual assault, and stalking. Appendices to this rule include forms and other documents to be used by housing providers. Information contacts vary by program and are listed in the Federal Register notice about the rule. A brief Unnumbered Letter (dated November 7, 2016) from USDA RD says RD will issue guidance conforming to the law and HUD's rule by the end of the year.

**HUD offers guidance and requests comments on fair housing and RAD.** HUD has posted Notice H 2016-17/PIH 2016-17 on its Rental Assistance Demonstration website to provide guidance regarding fair housing, civil rights, and relocation requirements applicable to the conversion of public housing units under the first component of RAD. This document adds to a previous notice issued June 15, 2015. Comments are due Dec. 14. For more information contact Claude Dickson, HUD, 202-708-0001.

**CFPB publishes 2017 rural and underserved areas lists.** Some Consumer Financial Protection Bureau regulations provide exemptions or safe harbors for lenders or properties located in counties on these lists.

**Updated Fair Housing Act guidance released by HUD and Justice Department.** The guidance is intended to help state and local governments understand how to comply with fair housing requirements when

making zoning and land use decisions – in order to avoid exclusionary zoning – and to help members of the public understand their fair housing rights.

**Small Area FMR rule final, metro areas announced.** HUD’s final regulation implementing Small Area Fair Market Rents will go into effect in January, requiring PHAs operating in designated metropolitan areas to use Small Area FMRs for their Housing Choice Voucher programs. For other PHAs, use of SAFMRs is optional for the HCV program. Other programs that use FMRs would continue to apply area-wide FMRs. This rule also implements some provisions of the Housing Opportunity Through Modernization Act related to FMRs. A separate notice published the same day lists the metro areas where SAFMRs will apply and explains how they were selected. For more information contact Peter B. Kahn, HUD, 202-402-2409.

**Equal access requirements extended to HUD Native American and Native Hawaiian programs.** These programs were not covered by a previous regulation requiring HUD programs to make eligibility determinations without regard to sexual orientation, gender identity, or marital status. For more information, contact Heidi J. Frechette, HUD, 202-402-6321.

**The next *HAC News* will be published after the HAC 2016 Rural Housing Conference.**

Online registration for the **HAC 2016 Rural Housing Conference** has ended, but on-site registration will be available at the event, to be held November 30-December 2 in Washington, DC with pre-conference activities on November 29.

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