

Human Rights Assessment of HR 1122 Comprehensive Housing Bill

Principles	Positive Aspects	Negative Aspects	Gaps in the Bill's Approach	Next Steps
Universality	<p>Social housing restricted to low and moderate income households, but only until system can be made viable for providing for higher incomes as well. Mandated ordinances for all rental housing: “(1) ANTIDISCRIMINATION- It shall be unlawful to discriminate against any person in the sale or lease of residential property on the basis of race, national origin, religion, sex, age, source of income, physical disability, marital status, sexual preference, family size, or presence of children.</p> <p>(2) WARRANTY OF HABITABILITY- All rental housing must comply with minimum standards of health, safety, and livability.</p> <p>(A) Five years after the effective date of this Act, these standards will also require adequate levels of residential amenity with regard to energy efficiency, space utilization, security, and resident services such as child care.</p> <p>(3) EVICTION CONTROLS- (A) Tenants may only be evicted for</p>	<p>Rent controls and demolition controls are put into place only when the government determines that there is a “local housing emergency” in a region.</p>	<p>The bill doesn't really focus on housing as a part of a broader community/neighborhood – no provisions ensure that locations of social housing will ensure access to jobs/schools/transportation.</p>	<p>Specify what would constitute a local housing emergency, ensure that there are ways of keeping rents for low and moderate income households below a certain level even when no “emergency” exists, address access to services/employment as a component of social housing.</p>

	<p>'just cause,' such as nonpayment of rent, willful destruction of property, and gross violation of community standards and must be afforded full due process prior to eviction.”</p>			
Equity – Use	<p>Creates a number of mechanisms to encourage conversion of private rental housing to social housing. Requires local housing plans that include identification of land suitable for residential development, zoning laws that are favorable to increasing the affordable housing stock, and provision of adequate social housing to meet the locality’s needs. Provides rehabilitation grants for the creation of social housing in deteriorated properties. Homeowners (not lenders) have the option of turning over foreclosed upon or foreclosure threatened properties to social control (see below).</p>	<p>Purchase price of private rental units to be converted to social housing determined by market value, though grants would be provided for tenants of private but subsidized properties seeking to purchase those properties and convert them to social housing.</p>	<p>Bill doesn’t provide for resident participation in the development of housing plans or the allocation of available land/properties. No efforts to curb speculation or private exploitation of properties.</p>	<p>The bill should ensure resident participation in all areas of decision-making regarding use, as well as taking steps to ensure adequate allocation of available properties to affordable housing, including making it possible for tenant/non-profit purchasers to pay below market rate for private properties to be converted to social housing.</p>
Equity – Financing	<p>Bill’s intent is that all costs of generating new social housing and all differences between operating costs of social housing and tenant ability to pay would be covered by federal direct grants. Allocates \$33 billion/year for these purposes, as well as \$8</p>	<p>Allows for development of social housing by for-profit companies, which may provide a back door to private/market-based approaches.</p>	<p>No encouragement of other forms of funding besides relying on federal money. This ties into the issue of viewing housing in a vacuum discussed above – a more holistic approach might look at encouraging community business so that properties can become</p>	<p>Integrate housing considerations with community economic development in order to give residents greater possibility for self-sufficiency as well as access to jobs and services.</p>

	<p>billion for protecting low-income homeowners, \$3 billion for encouraging homeownership, and \$6.2 billion for conversion of privately-owned subsidized properties to social housing.</p> <p>Rents in all forms of public or social housing would be based on ability to pay.</p>		<p>more self-sufficient/less reliant on the federal government without turning to private funding.</p>	
Participation – Planning	<p>Increased resident control is one of the “principles” of the Act. Requires collective bargaining rights for tenant organizations in privately owned rental housing, and guarantees meaningful participation through collective bargaining to tenants in social housing.</p>	<p>Secretary of HUD and local governments control terms of collective bargaining rules – doesn’t seem like there’s input from residents in the making of those rules.</p>	<p>While residents’ rights in individual properties seem to be well protected, there are no provisions for resident participation in the processes of rule making or of converting properties to social housing.</p>	<p>The bill should provide specifics as to how resident consultations and collective bargaining would take place in individual properties, as well as providing opportunities for resident input in rule making and structural decision making.</p>
Participation – Economic Benefit	<p>Vague assurances that activities supported by the Act should seek to maximize employment and job training opportunities. Includes affirmative action guarantees.</p>	<p>See next box, as the real negative is basically a giant lack of focus on this area.</p>	<p>Bill contains nothing to encourage hiring of residents/community members for jobs created by the bill, just as it contains little effort to ensure that social housing provides access to other forms of employment.</p>	<p>The Act should include in its employment/job training section a preference for the hiring of residents for positions created by the Act.</p>
Peace and Dignity	<p>Low and moderate income homeowners given the option of deeding their homes to local government in exchange for lifetime security of tenure at a rate determined by ability to pay. Option also made available in cases of foreclosure, though government money to</p>	<p>Evictions for the sake of luxury rehabilitation, condominium conversion, or demolition still permitted, though law requires “a compelling public purpose and adequate relocation assistance.”</p>	<p>Protections for evicted tenants could be stronger – relocation assistance should be expanded to all evicted tenants and “adequate” should be defined to include access to jobs/services and some measure of stability.</p>	<p>The Bill should strengthen its protections for evicted tenants as discussed. In addition (not sure if this belongs here, but don’t know where else it would go), the bill should include a description of the mechanisms by which residents can challenge violations of its provisions,</p>

	<p>purchase home is limited to FMV.</p> <p>“SEC. 305. SECURITY OF TENURE.</p> <p>(a) LEASE AND GRIEVANCE PROTECTIONS- Lease and grievance protections for tenants in subsidized housing will be strengthened to enhance their rights.</p> <p>(b) GROUNDS FOR EVICTION- Grounds for eviction, presently more limited than for private housing tenants, will be restricted to voluntary nonpayment, willful destruction of property, and gross violation of community standards.</p> <p>(c) DUE PROCESS PROTECTION FOR EVICTION PROCEEDINGS- Where it is believed such violations have occurred, residents will be protected by due process, under procedures secured by Federal statute. Eviction will not be permitted because of any temporary inability to pay rent that results from involuntary loss of income.”</p>			<p>and specify penalties for landlords or lenders who fail to comply.</p>
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