Federal Reforms to Strengthen Housing Stability, Affordability, and Choice

Opportunity for All Housing Policy Brief

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Among the many pressing issues for the Biden administration to tackle are the challenges of instituting national housing policies that address housing stability and affordability and that ensure affordable housing is built and preserved in neighborhoods of opportunity. These challenges are not new, and some issues, particularly for renters, have been exacerbated by the COVID-19 pandemic. For example, before the pandemic, almost 50 percent of renters paid more than 30 percent of their income on rent. Now, as many as 5.3 million renter households are estimated to have had at least one member of their households lose a job entirely,[1] and many additional renters have lost partial income. Fewer rent payments and unpaid rent arrears could lead to a loss of affordable units, particularly those owned by small landlords, because of foreclosures and pressure to sell properties.[2] Tight state and local budgets could mean fewer dollars to subsidize building new affordable housing production, both rental and owner occupied.[3] And increases in the cost of owner-occupied homes during the pandemic could restrict homeownership options for many. The COVID-19 crisis has hit communities of color particularly hard, mirroring persistent inequalities in neighborhood and housing access and stability.[4]

In this brief, we present the results of a scan of housing policy platforms from organizations that represent a range of ideological perspectives for federal policy proposals to improve housing stability, affordability, and choice.[5] We then identify federal reforms that meet the following three criteria: (1) they have some empirical basis to suggest they could be effective at advancing these goals; (2) they appear in more than one published housing policy platform; and (3) they were prioritized by housing experts we engaged in the Opportunity for All workshop series (box 1). In this brief, we discuss each of these proposed federal policy reforms and their evidence base. We then explore considerations for federal policymakers when implementing the reforms.

BOX 1

Opportunity for All

This brief is part of the Opportunity for All project, in which Urban Institute scholars, community leaders, and national experts are working together to explore how the federal government can help all neighborhoods become places of opportunity and inclusion. Several Opportunity for All essays propose bold new federal housing policies and programs. This brief focuses on promising reforms to *existing* housing programs or policies frequently proposed by advocates, policymakers, and researchers as ways to improve housing stability, affordability, and neighborhood choice for low-income families.

Representatives from these organizations participated in the Opportunity for All workshop series:

Nonprofit organizations

- Center for Community Progress
- Innovate Memphis
- Mercy Housing
- PolicyLink
- Smart Growth America
- Spirit for Change Consulting

Research institutions and universities

- Brookings Institution, Metropolitan Policy Program
- Center on Budget and Policy Priorities
- Fordham Law School, Urban Law Center
- Massachusetts Institute of Technology
- Milken Institute
- New York University, Furman Center for Real Estate and Urban Policy
- University of California, Los Angeles, Lewis Center for Regional Policy Studies
- Wake Forest University School of Law

Civil rights and advocacy organizations

- National Low-Income Housing Coalition
- National Fair Housing Alliance
- Fair Share Housing Center
- Poverty and Race Research Action Council
- Up for Growth Coalition

Philanthropy

- Chan Zuckerberg Initiative (CZI)
- JPB Foundation
- MacArthur Foundation

- The Kresge Foundation
- Washington Housing Initiative
- Preservation of Affordable Housing

Membership organizations

- National Association of Housing and Redevelopment Officials
- National Council of State Housing Agencies
- The Preservation Compact

Local government

- DC Department of Housing and Community Development
- New York City Housing and Economic Development

Scan and Selection of Reforms

We identified eight federal policy reforms to improve housing stability, affordability, and neighborhood choice. We arrived at these eight reforms through a combination of document review and consultation with experts in the field.

We reviewed the housing policy platforms from 25 organizations that represent a range of ideological perspectives, identified through a combination of referrals from internal and external experts and internet search. We inventoried the reforms proposed in these platforms and narrowed the initial list by considering only those reforms that (1) were included in more than one policy platform and (2) were backed by some empirical evidence or research. In August 2020, we presented the resulting 16 reforms to national and local leaders in housing policy and practice at two virtual workshops hosted by the Urban Institute through the Opportunity for All project (box 1). We asked these practitioners to prioritize the reforms. We used the feedback we received during the workshops to narrow to the eight reforms presented below. Some of the reforms are long-standing; others are more recent and tied to either the response to the pandemic or the 2020 presidential campaigns. Table 1 provides more information about which organizations and policy platforms propose the eight reforms.

TABLE 1

Policy Platforms and Proposed Reforms

	Housing Choice Vouchers	Public Housing Capital Fund	National Housing Trust Fund	Fair housing laws	Legal representation	Shared-equity homeownership	Renter tax credit	LIHTC
Organizations or coalitions								
Housing America's Future: New Directions for National Policy Bipartisan Policy Center	✓	✓	✓			✓		✓
Cato Handbook for Policymakers Cato Institute				✓				
Homes for All: The Progressive 2020 Agenda for Housing Data for Progress	✓	✓		✓		✓	✓	✓
The Solution National Low-Income Housing Coalition			✓					
Opportunity Starts at Home National Policy Agenda Opportunity Starts at Home	✓	✓	✓		✓		✓	✓
A Vision for Federal Housing Policy in 2021 and Beyond Poverty and Race Research Action Council			✓	✓				✓
People's Platform 2020 People's Action		✓				✓		
The Mayors' 2020 Vision: An American Breakthrough US Conference of Mayors	✓	✓	✓					
Former presidential candidates								
The Biden Plan for Investing in our Communities Through Housing Joe Biden	✓		✓		✓		✓	✓
Combating the Climate Crisis and Pursuing Environmental Justice Biden-Sanders Unity Task Force	✓	✓	✓	✓				
Coming Home: An Agenda for Housing Justice in America Pete Buttigieg	✓	✓	✓	✓	✓			✓

	Housing Choice Vouchers	Public Housing Capital Fund	National Housing Trust Fund	Fair housing laws	Legal representation	Shared-equity homeownership	Renter tax credit	LIHTC
Senator Klobuchar's Housing Plan Amy Klobuchar	✓			✓				✓
Housing for All Bernie Sanders	✓	✓	✓	✓	✓	✓		
Affordable Housing Plan Tom Steyer	✓		✓				✓	
My Housing Plan for America Elizabeth Warren		✓	✓	✓				
Sum of supporting proposals	**10**	**9**	**11**	**8**	**4**	**4**	**4**	**7**

Source: Authors' analysis of housing platform documentation and campaign platforms.

Note: LIHTC= Low-Income Housing Tax Credit. Table includes campaigns that had a clear housing platform and recommended changes to existing programs.

Proposed Reforms and Supporting Evidence

We identified the following housing reforms:

1. Increase funding for **Housing Choice (Section 8) Vouchers.**
2. Restore and expand funding for the **Public Housing Capital Fund.**
3. Expand the **National Housing Trust Fund.**
4. Restore and enforce the US Department of Housing and Urban Development's (HUD's) **fair housing rules.**
5. Clarify and enforce fair housing requirements for new **Low-Income Housing Tax Credit (LIHTC)** construction.
6. Provide funding for **legal representation** to tenants facing eviction.
7. Support **shared-equity homeownership.**
8. Implement a national **renter tax credit.**

In this section, we briefly provide relevant background information on the reform and policy area and summarize related evidence on how each reform may impact housing stability, affordability, and choice. We also mention additional actions that might be necessary to either strengthen proposed reforms or mitigate unintended consequences.

Increase funding for Housing Choice (Section 8) Vouchers

HUD's Section 8 Housing Choice Vouchers (HCVs) cover the gap between private rental costs and 30 percent of low-income households' total income. But only 3 out of 10 eligible families currently receive vouchers because of federal agencies' spending limits.[6] Expanding the Housing Choice Voucher program appeared in 10 of the 15 policy platforms we reviewed. Most of the platforms call for fully funding the HCV program to make vouchers available to all households that qualify for them based on their income[7] (Biden-Sanders Unity Task Force 2020; Bipartisan Policy Center 2013; Harrison and Kraemer 2020; Pete for America 2020; US Conference of Mayors 2020). The remaining platforms call for an expansion to all eligible households with children[8] and an unspecified but significant expansion generally (OSAH 2019).[9] According to Urban Institute analysis, expanding housing voucher assistance to all households with an income at or below 50 percent of the area median income would require HUD to subsidize 8.2 million additional units and would cost at least an additional $62 billion (and up to $100 billion) a year.[10] To cut costs and improve targeting, some advocates recommend restricting eligibility to either extremely low–income households (i.e., those earning under 30 percent of the area median income) or to families with young children (Bipartisan Policy Center 2013; OSAH 2019).

HCVs' beneficial impact on low-income households is well documented. Households that receive housing assistance through HCVs or similar types of rental assistance have a significantly lower risk of housing insecurity than income-eligible households that do not receive them (Kim, Burgard, and Seefeldt 2017; Ellen 2020). Vouchers significantly reduce homelessness and crowding (Wood, Turnham, and Mills 2010; Fischer 2015). Tenants with housing vouchers move less frequently, are less likely to be food insecure, and are less likely to be involved with child protective services (Gubits et al. 2016). Young children in low-income families who use HCVs to move to lower-poverty neighborhoods are significantly more likely to attend college and earn more as young adults than similar children whose families did not receive an HCV (Chetty, Hendren, and Katz 2015). However, vouchers have more mixed results when it comes to helping families access low-poverty neighborhoods. In some markets, landlords commonly refuse to rent to voucher holders, particularly in neighborhoods with low poverty rates and high-performing schools (Mazzara and Knudsen 2019; Cunningham et al. 2018; Galvez et al. 2020). Nevertheless, Black and Latinx voucher holders in particular benefit from voucher use in that they live in lower-poverty neighborhoods than Black and Latinx households with similar incomes that do not have vouchers (Sard et al. 2020).

Restore and Expand Funding for the Public Housing Capital Fund

Over 2 million low-income people live in the nation's stock of over 1 million public housing units, many of whom are families with children, are older adults, or are disabled (Docter and Galvez 2019). The program ensures housing costs remain at roughly 30 percent of residents' income, providing stability to vulnerable households. However, public housing properties are owned and managed by local public housing authorities, and a chronic lack of federal funding for maintenance, upgrades, and repairs has led to poor conditions in many public housing properties. This places units at risk of loss and exposes some residents to deteriorating housing conditions, putting them at risk of relocation or displacement (Docter and Galvez 2019; Popkin et al. 2020). A 2010 HUD-sponsored assessment of public housing capital funding needs determined that around $26 billion was needed at that time for maintenance and repairs (Finkel et al. 2010). Capital improvement needs have continued to accrue over the decade since the study was completed, with the backlog estimated to have grown by around $3.4 billion a year: an updated needs estimate was about $70 billion as of 2019 (NAHRO 2020). Nine policy platforms recommend expanding funding for public housing capital investments. Among those that indicated a specific amount of additional funding to provide, the recommendations include $100 billion over 10 years (Harrison and Kraemer 2020), a one-time allocation of $3.6 billion,[11] $50 billion (Pete for America 2020), and $70 billion.[12] The remaining five platforms did not specify the funding amounts[13] (Bipartisan Policy Center 2013; OSAH 2019; NLIHC 2020; People's Action 2020; US Conference of Mayors 2020).

Public housing, despite a troubled legacy of racial segregation, remains a significant component of the rental housing stock affordable to extremely low–income households. Losing public housing properties to disrepair over time would further reduce the supply of already-scarce affordable housing and place vulnerable residents at risk of displacement. Further, subsidized rental housing has proven to be an effective housing stability and poverty-reduction tool (United States Census Bureau 2019). Over the past two decades, several HUD programs, including HOPE VI[14] and Choice Neighborhoods, have experimented with ways to redevelop distressed public housing and spur investment in surrounding neighborhoods.[15] Most recently, the Rental Assistance Demonstration program[16] has emerged as the primary mechanism available to public housing authorities to redevelop distressed properties and convert them to other forms of rental assistance. Increases in the public housing capital fund would allow more public housing units to convert through the RAD program.[17] But more research is needed to understand how well these programs perform as neighborhood revitalization tools, their impacts on public housing residents, and their success preserving permanently affordable units.

Expand the National Housing Trust Fund

The National Housing Trust Fund (NHTF) provides grants to states to support the development and preservation of housing for households with extremely low incomes (at or below 30 percent of the area median income) and very low incomes (at or below 50 percent of the area median income). The majority of NHTF funding must be spent on rental housing, but up to 10 percent of a state's allocation can be used to build, rehabilitate, or preserve housing for homeownership or to reduce the costs of purchasing a home.[18] The NHTF is funded through a fee on government-sponsored enterprise mortgages. Funding for the program in 2020 was $323 million.

Eleven of the 15 housing platforms recommended supporting or expanding the NHTF. Several of the platforms recommend expanding funding to $3.5 billion annually (OSAH 2019), $154 billion over 10 years (Pete for America 2020), $200 billion over 10 years,[19] $400 billion or more over 10 years,[20] and $1.48 trillion over 10 years.[21] The remaining platforms did not specify an exact funding amount[22] (Biden-Sanders Unity Task Force 2020; Bipartisan Policy Center 2013, NLIHC 2020; PRRAC 2020). This would be accomplished by increasing both the fee and the share of the fee that goes to the NHTF from Freddie Mac and Fannie Mae activity or by creating a new vehicle within an infrastructure bill, housing finance reform, or other legislative avenue. One policy platform recommended that the fair housing requirements for these funds be strengthened and that HUD provide guidance to states on how they can further fair housing in NHTF administration (PRRAC 2020).

The NHTF offers states the flexibility to use funds for several types of affordable housing expenses, such as preservation, infrastructure needs, rehabilitation, or support services in addition to housing production. This flexibility makes the NHTF's full impacts difficult to track, but in 2019, the NHTF helped finance 1,662 homes for extremely low–income people experiencing homelessness, elderly people, or people with special needs.[23] Although little research on this program exists, HUD posits that the household-level impacts of receiving access to affordable housing through the NHTF are similar to the positive effects of receiving housing and rental assistance, including benefits from reduced homelessness, housing instability, and cost burdens, all of which have strong evidence bases[24] (RWJF 2019).

Restore and Enforce HUD's Fair Housing Rules

The Fair Housing Act of 1968 (and subsequent amendments) prohibits discrimination in the sale, rent and financing of housing and requires the federal government and recipients of federal funding to "affirmatively further fair housing" by taking proactive steps to undo historic patterns of segregation and racially concentrated poverty. Two rules that stem from this act were severely weakened in 2020. The 2015 Affirmatively Furthering Fair Housing rule was the federal government's first rigorous effort to encourage state and local governments that receive federal housing funds to identify and address barriers to fair housing choice. In 2018, HUD suspended implementation of its 2015 Affirmatively Furthering Fair Housing rule, and in August 2020, the agency issued a new rule that removed all requirements for state and local governments to identify barriers to fair housing choice and to prepare and submit plans to overcome them.[25]

In 2020, HUD also severely weakened its 2013 rule interpreting and standardizing the use of the "disparate impact" standard under the Fair Housing Act. The disparate impact standard allows plaintiffs to challenge policies or practices that have a discriminatory effect on a class protected by the Fair Housing Act (such as racial and ethnic minorities, people with disabilities, and families with children) without having to prove discriminatory intent. The 2013 HUD rule harmonized applications of the standard across federal courts and reaffirmed a three-step process of "burden shifting" that recognizes legitimate business interests while guarding against discriminatory outcomes. In its 2020 revisions to the rule, HUD eliminated this burden-shifting framework and replaced it with a five-part test to prove discrimination. HUD also required proof of a "direct causal" link between the challenged policy and statistical disparities in outcomes, which civil rights and fair housing advocates argue is an insurmountably high threshold (NFHA 2020; NFHA 2016).[26] Since then, HUD Secretary nominee Marcia Fudge has reaffirmed her commitment to reviewing the disparate impact rule,[27] and the Biden administration has taken initial steps toward reinstating an Affirmatively Furthering Fair Housing regulation by requiring that the HUD Secretary examine the effect of repealing the 2015 rule on HUD's duty to affirmatively further fair housing.[28]

Eight reform platforms call for HUD to reinstate its earlier Affirmatively Furthering Fair Housing and disparate impact rules and rigorously enforce both (Harrison and Kraemer 2020; OSAH 2019; Biden-Sanders Unity Task Force 2020; O'Toole 2017; Pete for America 2020).[29] One reform platform advocated responsibility for enforcement be transferred from HUD to the Department of Justice. To effectively enforce these policies (both eradicating the backlog of fair housing cases and proactively monitoring adherence), the NFHA estimates that Congress would need to appropriate enough funding to cover at least 750 additional full-time employees (NFHA 2016).

Ample research demonstrates how public policies of the past that segregated neighborhoods and disinvested in communities of color contribute to racial disparities across a range of social, economic and health outcomes today (Greene, Turner, and Gourevitch 2017).[30] In addition, a growing body of research shows how ongoing discrimination in housing and lending, and as well as stubborn patterns of segregation, limit access to opportunities and stunt economic mobility for people of color, especially Black people (Acs et al. 2017; Chetty et al. 2014). Less is known about the effectiveness of current federal policies to reverse the legacies of past racist policies or weed out discrimination and exclusion. Some recent research suggests that government policies that increase residential mobility can increase future earnings for children living in areas of concentrated poverty and that enforcement of fair housing laws can support greater residential integration (Chetty, Hendren and Katz 2015; Sander, Kucheva and Zasloff 2018). Rigorous enforcement of fair housing laws, especially as applied to home appraisals and sales, could also help reduce wealth disparities between Black and white families[31] (Perry, Rothwell, and Harshbarger 2018).

Clarify and Enforce Fair Housing Requirements for New LIHTC Construction

The LIHTC program[32] provides tax incentives in exchange for affordable rental housing construction or preservation. Since the mid-1990s, the program has created or preserved over 2 million affordable rental units (Scally et al. 2018). The program incentivizes building units in low-income communities designated as Qualified Census Tracts or identified by the Difficult Development Areas Program, thus concentrating units in neighborhoods that often fail to offer families access to safe and healthy environments and better jobs.[33]

Seven housing platforms included recommendations to change the Treasury's LIHTC rules for distributing tax credits, creating a federal version of the state-level Qualified Allocation Plans, such that they are more likely to award credits to developers who build affordable housing developments in communities with better job, transit, and educational opportunities[34] (Bipartisan Policy Center 2013; ChangeLab Solutions 2015; Harrison and Kraemer 2020; OSAH 2019; Pete for America 2020; PRRAC 2020). Notably, some proponents couple this reform recommendation with new requirements, for example that HUD be given oversight of all LIHTC developments, not just those using HUD funding, and as part of this oversight, HUD use its obligation to affirmatively further fair housing (Harrison and Kraemer 2020). Others recommend the volume cap on LIHTC be expanded at least 50 percent, or $1 to $2 billion, to allow for more units to be constructed and preserved (Bipartisan Policy Center 2013; OSAH 2019).

Recent evidence shows that requirements in state-level Qualified Allocation Plans can effectively increase the number of LIHTC developments sited in higher-opportunity neighborhoods (Ellen and Horn 2018). Additionally, LIHTC siting in high-income neighborhoods reduces racial segregation and poverty concentration and has the potential to offer improved outcomes for adults and children (Acolin and Wachter 2017; Chetty and Hendren 2015; Ellen, Horn, and O'Regan 2016; Horn and O'Regan 2011) and does not increase crime (Diamond and McQuade 2017). When considering the broader impacts of the proposal, research does not show consistent positive or negative effects of LIHTC siting on surrounding home values in high-income neighborhoods (Albright, Derickson and Massey 2013; Diamond and McQuade 2017; Funderburg and MacDonald 2010; Woo, Joh, and Van Zandt 2015). Siting requirements should be paired with careful outcome monitoring and dissemination of evidence that responds to NIMBY ("not-in-my-backyard") concerns around LIHTC developments in low-poverty neighborhoods (Scally and Koenig 2012).

Although the policy platforms overwhelmingly recommend incentivizing more LIHTC units in low-poverty neighborhoods, LIHTC already performs better than vouchers or public housing in terms of access to low-poverty neighborhoods (Dawkins 2013; Ellen, Horn and Kuai 2018). Some evidence also suggests that over time, LIHTC developments may contribute to a reduction in poverty rates in existing high-poverty neighborhoods (Ellen, Horn, and O'Regan 2016). Further, incenting or requiring more units in higher-cost areas will mean less affordable units are built overall.

Provide Funding for Legal Representation to Tenants Facing Eviction

Almost 900,000 renters are evicted each year, perpetuating a vicious cycle of housing instability that leads to poor outcomes in health, education, and employment.[35] Even more renters could face eviction because of the economic impacts of the COVID-19 pandemic after federal protections expire. Less than 10 percent of tenants have legal representation in eviction proceedings across housing courts nationwide, while rates of landlord representation can reach highs of 85 to 90 percent (Desmond 2015; Engler 2010).

Four platforms support providing legal assistance for tenants in eviction proceedings. The Biden platform supported the Legal Assistance to Prevent Evictions Act,[36] which provides grants for legal assistance and mediation, prioritizing areas with both high eviction rates and regulations that promote tenant rights, including right-to-counsel protections.[37] The Sanders campaign proposed a federal right-to-counsel law, requiring that all tenants have access to legal counsel in eviction proceedings and offering $2 billion in federal matching grants for states and localities to provide this right.[38] Opportunity Starts at Home and the Buttigieg campaign platforms support states and localities enacting right-to-counsel laws to ensure housing stability but did not provide details on how much funding would be needed to support this at the federal level (OSAH 2019; Pete for America 2020).

Limited evidence suggests that, combined with more proactive tenant protections such as emergency assistance and mediation, access to counsel can improve stability for renters. The EPIC program in Toronto provides wraparound services to tenants facing eviction, including case management, mediation services, referrals to legal supports, assistance in securing financial support, and rehousing support when eviction diversion isn't possible. An evaluation of the program found that of the 97 participants discharged from the program, 90 percent stabilized their housing, 8 percent found new housing, and 2 percent became homeless (Ecker, Holden, and Schwan 2018). A nonexperimental case study of the Ramsey County Housing Court Clinic model showed a link between coordinated social service provision, including access to mediation, legal, and financial assistance services, and reductions in incidence of eviction (Burrowes et al. 2020).

Local right-to-counsel programs have also shown early promising results, though rigorous evaluation is still needed to understand their impact. New York City started providing legal assistance to income-eligible tenants in 2017. Administrative data show that 84 percent of households who have legal representation through the program remain in their homes (New York City Human Resources Administration 2019). San Francisco passed a similar law in 2018, and since then, 67 percent of the majority-low-income tenants who received representation were able to stay in their homes.[39]

Although the potential up-front investment for these programs may seem large, they actually cost less for the public sector in the long run because they decrease costs associated with eviction and homelessness, such as providing shelter and health care, funding police time to enforce homeless ordinances and respond to increased crime, and responding to disruptions to children's education (NLCHP 2018; Justice in Government Project 2019; Cohen and Noble 2020).

Support Shared-Equity Homeownership

Shared-equity housing—such as community land trusts, deed restrictions, and cooperative housing—is a creative way to expand homeownership to those who may not otherwise have access to it (Theodos et al., 2015). Shared-equity homeownership models typically offer homes at prices lower than the market rate and keep housing prices low even when neighborhood home prices rise by limiting appreciation through a variety of legal arrangements.

In the proposals we reviewed, four platforms called for increased support from the federal government for shared-equity homeownership models. The proposed federal reforms vary across platforms. One calls for increased study of the models (Bipartisan Policy Center 2013), and two propose expanded federal funding (Harrison and Kraemer 2020).[40] Data for Progress posits that the national Housing Trust Fund could be expanded to fund shared-equity housing models and that federal financing could assist specifically with land acquisition costs that can be expensive (sometimes prohibitively) for shared-equity housing development (Harrison and Kraemer 2020). In fact, purchase and development costs are one of the key constraints on shared-equity housing expansion (Palmer 2019). Another proposed avenue for federal support is through the Federal Housing Finance Agency's Duty to Serve activities. Under Duty to Serve, the government-sponsored enterprises have created secondary mortgage products and training resources in support of shared-equity housing models. Data for Progress argues that Federal Housing Finance Authority could do more to encourage a marketplace of lenders who create and trade mortgages for such models. Finally, Data for Progress offers a policy reform in which the federal government offers payment in lieu of taxes to local governments that set aside land for shared-equity models, easing localities' losses of property tax revenue from reduced property appreciation (Harrison and Kraemer 2020).

Shared housing models provide stable options for homeownership, especially for individuals who might not qualify for a traditional mortgage. Homeowners who purchase housing through community land trusts are 10 times less likely to enter foreclosure proceedings and over 6 times less likely to be seriously delinquent than "traditional" homeowners (Thaden and Rosenberg 2010). Shared-equity home purchasers also have significantly less mortgage debt and lower monthly payments, though they do not show significant differences in nonmortgage financial health measures and do not build wealth at the same rate as traditional homeowners (Theodos et al. 2019). Shared-equity providers thus need to find the balance between helping purchasers build wealth and keeping these homes affordable.

Implement a National Renter Tax Credit

A federal renter tax credit would provide a rebate to cost-burdened low-income renters for the difference between the rental payment and 30 percent of the renter's income. This program would solve some of the other issues related to traditional rental assistance programs, including resident choice and landlord discrimination against voucher holders. Three platforms proposed enacting a renter tax credit, but not all of them provided full details on how they would structure the program. President Biden's campaign platform proposed a renter tax credit with a $5 billion annual cost,[41] while others did not provide a cost cap.[42] The final platform did not provide additional details about the scope of their proposal (OSAH 2019).

The impact of a renter tax credit program would vary widely depending on its scale. Plans similar to the one proposed by Biden are estimated to provide an average monthly credit of $446 to 1.2 million families (Sard and Fischer 2013; Terner Center for Housing Innovation 2016). An analysis of a larger-scale program, similar to the one proposed by the Steyer campaign, is estimated to cost more than $120 billion a year.[43] A program like this would reach over 50 million Americans and decrease national poverty levels more than 10 percent (Kimberlin, Tach and Wimer 2018). Although these figures are very promising, there are considerations to account for during the design and implementation of a new tax program like this. Decisions about the recipients, delivery methods, and delivery frequency will greatly vary its reach and therefore its impact. It will also be important to implement additional safeguards to prevent potential negative market impacts, such as rising rents and diminishing housing supply. Although all these considerations are important to note, it is also useful to compare these proposals to the benefits and cost of a similar tax-based program: the mortgage interest deduction, a similar benefit provided to homebuyers. The mortgage-interest deduction, a regressive benefit, costs over $27 billion annually and reaches almost 14,000 homebuyers, the majority of whom receive returns of $100,000 or more (Joint Committee on Taxation 2019). In comparison, the renter tax credit has the potential to provide a more affordable and equitable avenue to improve housing stability and choice.

Conclusions and Considerations

This brief inventories federal policy and program reform proposals that are widely supported by housing experts and show promise in improving stability, housing affordability, and neighborhood choice. We examine some of the evidence available to support these proposals and background information on individual policies and reforms, but we do not fully assess the evidence base, explore implementation challenges, or assess how they may interact in local housing markets. Additional work will be needed to understand the potential impacts of various reforms and to fully evaluate their potential benefits and trade-offs. Policymakers should explore several factors in more detail as they consider these options.

First, implementing these reforms will take varying amounts of difficulty. For example, most reforms would require increased federal appropriations or a combination of appropriations and regulatory reform (e.g., expanding the National Housing Trust Fund and restoring and enforcing HUD's fair housing rules), and others would require legislation to create new programs entirely (e.g., providing funding for legal representation to tenants facing eviction and implementing a national renter tax credit). And as we have noted elsewhere (Galvez et al. 2020), most if not all of the proposed reforms identified here will require a significant expansion of existing administrative infrastructures to implement at scale. For example, a large network of public housing authorities currently manage HCV programs nationwide, but any significant expansion of HCVs will require additional resources to ensure enough administrative capacity in place to distribute new vouchers efficiently and equitably.

Second, some of the reforms proposed have limited evidence from state or local efforts but have not been attempted at the national scale. These will require careful attention to planning, implementation, and evidence building. For example, a renter's tax credit is in place in Maryland, Wisconsin, and California, but those have not been fully evaluated, and such a credit has not been tried at the national level. The potential spillover effects on rent prices and rental markets are currently unknown. With this in mind, outcomes should be closely tracked to better understand and respond if policies underperform or have unintended outcomes.

Third, it is possible that the policies discussed in this brief may perform differently in different contexts, working well in some places but potentially disappointing in others. Performance may vary by neighborhood conditions or by local and regional market characteristics, or their success may require additional investments in complementary policies and programs. For example, the success of fully funding HCVs to reach all eligible households will rely on a sufficient supply of voucher-affordable rental units in high-opportunity neighborhoods as well as on robust landlord participation in jurisdictions or neighborhoods where many landlords currently refuse to accept vouchers. Voucher holders are not a protected group under the federal Fair Housing Act, and although evidence suggests that state and local laws intended to prevent landlords from discriminating against voucher holders can improve program outcomes, discrimination persists even in areas with protections in place (Cunningham et al. 2018; Freeman and Li 2013; Freeman 2011). The combination of expanded assistance and depressed rental markets in some jurisdictions may encourage landlords to participate in the HCV program. But some voucher policy experts also recommend additional reforms intended to improve landlord participation and reduce barriers to voucher use, including expansion and enforcement of antidiscrimination laws, use of small-area fair market rents,[44] supports for housing searches and moves to low-poverty neighborhoods, and incentives for landlords (Galvez and Oppenheimer 2020).

Given the lack of sufficient rental housing affordable to lower-income households nationally,[45] the success of several of the proposed reforms will likely require additional investments in expanding the supply of affordable rental housing, whether through LIHTCs, the NHTF, or other housing preservation and production programs not discussed here (Galvez et al. 2020). Similarly, new LIHTC siting rules could increase costs for developers. For example, significantly improving neighborhood choice through LIHTC program reforms would likely require an expansion of the LIHTC volume cap and, given that LIHTC projects often rely on HUD HOME Investment Partnership Program funds for gap financing, increased appropriations for HOME.

Fourth, even with additional resources, affordable housing production often requires zoning reform and community support. In the face of exclusionary zoning practices and community resistance common in many places, parallel efforts to navigate local opposition may be necessary to improve affordable housing locations.[46] Similarly, some of the programs included here have persistent legacies of discrimination, concentrated poverty, and segregation. This includes the public housing program, and, in some settings, vouchers and LIHTCs. Expanding programs that have been constrained by enduring exclusionary policies should also include mechanisms to ensure neighborhood choice goals are met and encourage meaningful investment in underresourced neighborhoods.

Finally, the racial equity concerns surfaced by the COVID-19 pandemic should be considered as part of any regulatory reform decisions or prioritization of this list. The pandemic has had devastating impacts on Black and Latinx communities' health, housing, and finances. Which of these proposals offer the most promise to quickly meet the needs of those most affected? In the immediate term and as evictions increase, protecting low-income renters in impacted communities with a right to counsel and housing vouchers or other flexible rental assistance may be the highest priority. As the pandemic continues, however, existing affordable rental units may be lost if funding is not available for their preservation and acquisition and as state and local budget constraints reduce the funding available for local housing programs. As policymakers consider the benefits and trade-offs of options to improve housing affordability and choice, they may need to prioritize or sequence them to ensure targeted and lasting impacts.

Notes

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