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CHAPA Housing Briefs

September 2020



State Updates

Eviction Moratorium Passes Constitutional Challenges in Superior Court

On August 26, [Judge Wilson of the Massachusetts Superior Court issued an order in *Matorin v. Commonwealth*](#) denying injunctive relief to plaintiffs advocating for the end of the eviction moratorium. Ruling on claims of infringement of core judicial powers, access to the courts and the takings clause, Judge Wilson found that any harm to landlords is “far outweighed” by the potential harm that would be caused by putting an end to the moratorium. [CHAPA, MACDC, and MPHA filed an amicus brief](#) to the case defending the moratorium.



Federal Updates

CDC Issues Federal Order Halting Evictions Through End of 2020

The [Centers for Disease Control and Prevention \(CDC\) announced a federal order that prevents residential evictions](#) for qualifying renters through December 31, 2020 to help to mitigate the spread of COVID-19. To be protected, qualified [renters must provide a signed declaration to their landlord](#) that they have experienced a loss of income, made best efforts to pay rent, attempted to obtain relevant government assistance, and have an annual income of no more than \$99,000 for an individual, or \$198,000 for a family.

President Trump Signs Executive Order to Identify Funds for Renters and Homeowners

[President Trump signed an Executive Order](#) after negotiations on a new coronavirus relief package stalled. The order includes directives for the Treasury and the Department of Housing and Urban Development (HUD) to identify funds to provide financial assistance for renters and homeowners who are struggling to pay rent and mortgages.

HUD Announces \$472 Million to PHAs from the CARES Act

On August 10, [HUD announced awards of \\$472 million in CARES Act funding to Public Housing Authorities](#) to help low income families during the pandemic. The funding can be used to help families with Housing Choice and Mainstream vouchers prevent, prepare for, and respond to the coronavirus.

FHFA to Require Multifamily Property Owners in Forbearance to Inform Tenants of Eviction and Tenant Protections

On August 6, the [Federal Housing Finance Agency \(FHFA\) announced](#) multifamily property owners with mortgages backed by Fannie Mae or Freddie Mac who enter into forbearance must inform tenants about tenant protections during the owner's forbearance and repayment periods. While in forbearance, property owners must agree not to evict tenants solely for nonpayment of rent.

HUD Resumes REAC Inspections of Public Housing Units

HUD announced it was resuming [in-person Real Estate Assessment Center \(REAC\) inspections of public housing units](#). The inspections seek to ensure HUD-owned rental properties meet federal standards of health, safety, and accessibility, but tenants have the ability to refuse the inspections if they are worried about virus spread.



Recent Research

COVID-19 Eviction Crisis Research Estimates 30-40 Million at Risk of Eviction by End of 2020

The Massachusetts Institute of Technology, City Life/Vida Urbana, the National Low Income Housing Coalition and others released [The COVID-19 Eviction Crisis report](#) last month. The report finds that without significant federal intervention, 30 to 40 million people in the US are at risk of eviction by the end of the year.

Urban Institute Releases Study of 2-4 Bedroom Units Across Country

The Urban Institute released [a study of the characteristics of 6.2 million rental units in 2-4 unit buildings](#), which account for about 13 percent of all rental units. The study found that Black and Hispanic tenants rent 44 percent of the units in small rental properties and emphasized the need for prioritizing small rental buildings' tenants and owners in federal rental relief.

CEA Report Finds Opportunity Zones Generated \$75 Billion in Investments

The White House Council of Economic Advisers (CEA) published [a report on the impact of 2019 Opportunity Zones](#). The report found that the Opportunity Zone tax cuts raised an estimated \$75 billion in private capital in 2019. According to the report, Opportunity Zone areas are expected to see an 11% reduction in the local poverty rate.

Urban Institute Releases Report Analyzing the Effects of Voucher Discrimination on School Systems

The Urban Institute released [a report analyzing how landlord discrimination directly affects voucher holders' access to high-performing schools](#). The analysis found denial rates were higher in areas with higher-performing schools. The Urban Institute notes that addressing voucher denial and other barriers to school diversity and integration will require greater coordination between housing policy and education policy.

UPCOMING EVENTS

September 15th, 2020

[Learning from Emergency Rental Assistance Programs During COVID-19](#)

September 17th, 2020

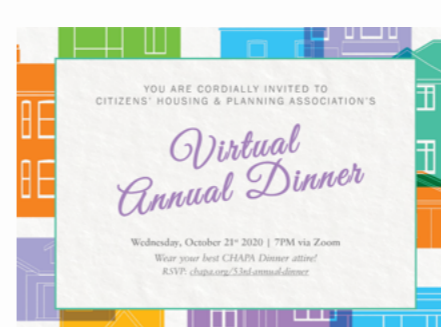
[Affordable Housing Coronavirus Response Update Virtual Meeting](#)

October 21st, 2020

[CHAPA's 53rd Annual Dinner](#)

January 2021

[*SAVE THE DATE* CHAPA's Virtual Chapter 40B Conference](#)



Our Annual Dinner is only a few short weeks away! Don't miss our first ever [virtual Annual Dinner on October 21, 2020](#). Awards, details, and tickets available on our website.



Still time to register for our [Learning from Emergency Rental Assistance Programs During COVID-19 webinar next week!](#) Join us, DHCD, and MHP for an update on the breadth of local ERA programs and to discuss best practices, challenges, and more.

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