



**June 8, 2021**

Written Testimony of Chancela Al-Mansour for the House Financial Services Committee hearing on “Universal Vouchers: Ending Homelessness and Expanding Economic Opportunity in America” on June 9, 2021

Dear Honorable Chairwoman Maxine Waters and the Honorable Members of the U.S House of Representatives Committee on Financial Services:

I thank you for the opportunity to address the important issue of homelessness in America and in particular Universal Vouchers and their capacity to end homelessness and expand economic opportunity in America. I am Chancela Al-Mansour and for the past ten years I have served as the Executive Director of the Housing Rights Center (HRC) which was created in 1968 to lead the fight for equal access in housing in Los Angeles County. Before joining the Housing Rights Center, I was a legal aid attorney for 18 years at the Western Center on Law and Poverty and at Neighborhood Legal Services of L.A. County where I helped lead the Homelessness Prevention and Rapid Re-Housing Program (HPRP) launched in 2009 to address housing instability caused by one of the greatest financial fallouts experienced –until now. I serve on the boards of the California Reinvestment Coalition and the National Fair Housing Alliance and on an advisory board of Friends in Deed, a homeless services provider in Pasadena, CA. I also recently served on the Los Angeles Homeless Services Authority’s Ad Hoc Committee on Black People Experiencing Homelessness<sup>1</sup> and the Ad Hoc Committee on Women Experiencing Homelessness.<sup>2</sup> And finally, I have personal lived experience with housing instability.

It is with this combined experience and as the representative of the Housing Rights Center that I provide testimony in support of Universal Vouchers as an important tool in the effort to end homelessness and to expand economic opportunity. This program or a vast expansion and improvement of the current

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<sup>1</sup> Black people are more likely than White people to experience homelessness in the United States, including in Los Angeles County. In 2017, Black people represented only 9% of the general population in Los Angeles County yet comprised 40% of the population experiencing homelessness. The impact of institutional and structural racism in education, criminal justice, housing, employment, health care, and access to opportunities cannot be denied: homelessness is a by-product of racism in America. This groundbreaking committee was formed to examine and address this issue. <https://www.lahsa.org/documents?id=2823-report-and-recommendations-of-the-ad-hoc-committee-on-black-people-experiencing-homelessness>

<sup>2</sup> Single women and women with children are experiencing homelessness at increasingly growing numbers. And this was before the on-set of greater disparities and adverse impact on female headed households created by the COVID-19 pandemic. Women experiencing homelessness experience much higher rates of: violence, including domestic and intimate partner violence; human trafficking, including both labor and sex trafficking; financial vulnerability, especially among older women who have lower incomes and are more likely to live in poverty than men and mothers needing to provide hard to find housing; and increasing rates of poor physical and mental health. <https://www.lahsa.org/documents?id=1586-ad-hoc-committee-on-women-and-homelessness-report-and-recommendations>

housing choice voucher program would provide low-income individuals and families with children with equal housing opportunities while significantly decreasing household expenses and, in particular, rent which more often consumes more than fifty percent of monthly household income.

### **UNIVERSAL VOUCHERS WOULD PROVIDE NECESSARY HOUSING SECURITY**

Due to the COVID-19 pandemic and its harsh economic impact on low income communities particularly women headed households, over 12 million families with children are at risk of losing their housing due to an eviction.<sup>3</sup> The vast problems caused by COVID-19, the unaffordability of housing in many communities that existed prior to the pandemic and the on-going impact and intersection of racism and wage and wealth disparities require financial and ideological commitment to immediate, coordinated and hopefully permanent solutions. The short-term influx of emergency rental assistance and the expiring eviction moratoriums are useful in curbing housing loss—but the underlying affordable housing crisis that is only worsening throughout the country will require permanent, structural policy changes and a well-funded program with mandatory participation requirements and strong anti-discrimination protections.

The first step towards eliminating housing insecurity is adequately investing in federal housing assistance and making housing assistance a mandatory program free from discrimination and future budget cuts. Current federal non-emergency rental assistance programs like the Section 8 housing choice voucher and project based programs, help to keep 2 million seniors, 2.4 million persons with disabilities and 6.3 million families with children housed – but only about one in every four eligible households receive them. These programs are underfunded, have harsh penalties for sometimes unavoidable actions or inactions like late household eligibility forms (even though the recipient is 80 and has turned in the same form with no problem for years) and are not mandatory leaving millions of families struggling to pay rent every month.

In Los Angeles, the need for more permanent rental assistance is severe. Approximately sixty percent (60%) of Los Angeles' 862,062 renter households have incomes at or below eighty percent (80%) of AMI. This estimate from the city's housing department was measured before the pandemic where recent estimates are that more than 21 % of renters are now severely in arrears due to loss of income and COVID-19 related illnesses. The Section 8 program for the city of Los Angeles is not currently accepting applications and the waitlist is closed often for years at a time before new applications are accepted. Applications can take up to months or years to process. Some applications often go unused by some recipients forcing them to give them up, especially for Black households whose Section 8 housing vouchers are often turned away unless forcefully protected by anti-discrimination laws as some landlords still try to find ways to circumvent participation even though it is mandatory in the state of California. Approximately sixty percent (60%) of Los Angeles' 862,062 renter households have incomes at or below eighty percent (80%) of AMI.

Even before the adverse impact of COVID-19 on vulnerable communities, millions of children were at greater risk of the mental and physical health problems and education disruption caused by housing insecurity. These children and their families often face near homelessness every month. A Universal Housing Voucher to every eligible family would dramatically reduce the number of children suffering from homelessness and cut child poverty. A recent study at Columbia University estimates that a Universal

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<sup>3</sup> <https://www.washingtonpost.com/business/2020/12/07/unemployed-debt-rent-utilities/>

Housing Voucher's overall effects would reduce poverty 81 percent for Black children and 80 percent for Hispanic children.<sup>4</sup>

Finally, any existing rental housing available, affordable and accessible to families with children, persons with disabilities and low-income persons is being rented to higher income individuals who have been hurt by housing shortages in their respective markets. This repercussion has made entry into wealth accumulating homeownership opportunities almost impossible to find. In order to not perpetuate the vulnerability of rental housing available for low-income individuals and families with children, a large new investment in federal rental assistance needs to be accompanied by an investment of all levels of affordable housing including public housing and homebuyer programs that may lead to a path of greater financial security. This new supply of housing and housing subsidies must also have strong tenant rights protections and more expansive enforcement of the Community Reinvestment Act and the Fair Housing Act to ensure adequate private investment in a diverse housing market that is not only free from discrimination but provides necessary housing opportunities to our most vulnerable communities.

### **MUST REQUIRE MANDATORY PARTICIPATION TO REDUCE HOUSING DISCRIMINATION**

A Universal Voucher program must require mandatory participation from housing providers to protect recipients against some if not most housing discrimination. Housing voucher discrimination enables a landlord to disguise motives for unlawful discrimination under blanket non-participation policies. In my experience, the acceptance and apparent legality of Section 8, Veterans Affairs Supportive Housing ("VASH"), or the Housing Opportunities for Persons with AIDS ("HOPWA") discrimination permits landlords to use proxies for illegal forms of discrimination such as race, national origin, familial status, disability, and sexual orientation. In investigations conducted by the Housing Rights Center in partnership with the state Department of Fair Employment and Housing, we found landlords continuing to deny Section 8 voucher holders from using their housing subsidy even when the housing subsidy of white Section 8 recipients was accepted and even when the recipient was an in-place tenant in the same unit in which they applied to use their newly obtained housing assistance.

Denying housing or refusing to negotiate for housing because an applicant has a housing subsidy also has a discernable disparate impact on protected individuals and communities. Discrimination against an individual on a HOWPA housing voucher has a clear and direct discriminatory effect on individuals with disabilities or who are LGBTQ. Similarly, veterans on VASH vouchers, who are more likely to have physical or mental disabilities as compared to the general population, may currently be discriminated against under federal law when a landlord refuses to accept the voucher. Moreover, families with minor children, Latinos, African Americans, and women are disparately impacted by facially neutral discriminatory practices. Families with minor children who receive Section 8 vouchers are usually at or below the poverty line. In Los Angeles and Ventura Counties, these families are disproportionately Latino, African American, or female head of households. With high rents, existing illegal housing discrimination, a limited housing stock, and a Section 8 anti-discrimination state law that only went into effect in 2020, families with minor children, Latinos, African Americans, and women have increasingly limited housing opportunities. This results in a reinforcement and exacerbation of housing segregation. It is not surprising that courts have found that facially neutral Section 8 discrimination has a disproportionate adverse impact

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<sup>4</sup> <https://www.povertycenter.columbia.edu/news-internal/2020-policy-proposal-housing-vouchers>

on Latino and African American families.<sup>5</sup> Discrimination against Section 8 voucher holders has been found to have a severe adverse effect on the housing choices that are available to them, and has perpetuated patterns of racial, ethnic, and economic segregation.<sup>6</sup>

Lastly, there is no justification for discrimination against tenants with housing vouchers. Today's recipients of federal housing subsidies are routinely subjected to stricter screening practices for admission and retention in the subsidy programs than tenants not involved in such programs. Tenants with Section 8 vouchers are often told about the risk of forfeiting their subsidies in the event of a material breach of the lease. For instance, a breach can occur if a tenant is untimely in their share of the rent, there is criminal activity at the property, or the tenant violates a term of the lease. Tenants must often act exceptionally well or risk losing a limited resource for which the waiting list is often 8 years long or closed altogether. Given this and the assurance of steady income a housing voucher presents to a landlord there is no business justification for housing voucher discrimination.

**HOMELESSNESS WILL GET WORSE WITHOUT IMMEDIATE ACTION. CONSISTENT WITH FINDINGS OF INFORMED COMMITTEES AND EVEN WITH A BETTER ECONOMY, UNIVERSAL VOUCHERS ARE NECESSARY TO END HOMELESSNESS**

Some theorize that a rapidly improving economy as our nation's businesses reopen and people are able to return to work will have a positive impact on homelessness – basically dramatically reducing it. Unfortunately, this is not so. During the pandemic, housing costs especially for homeownership have dramatically increased in Los Angeles County and Southern California.<sup>7</sup> While some homeowners have left California for lower rent and tax burdened states, the vacancy rate is still under 5% in the West – the lowest in the nation.<sup>8</sup>

Even current homeowners with large amounts of equity due to the sudden rise in home prices are afraid to put their houses on the market and upgrade as they often can't purchase their new home fast enough before their old home sells leaving them almost immediately priced out of their current housing market – even with a large amount of equity. They often find themselves competing with long-term renters for scarce housing.<sup>9</sup> The state of California did not see rent reductions during the pandemic and almost all rents will be raised by the maximum rent increase levels which even under California's state rent control law averages an increase of close to 10% of the annual rent. This shortage of all types of housing and the increased cost

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<sup>5</sup> See e.g. *Glover v. Crestwood Lake Section 1 Holding Corp.*, 746 F. Supp. 301 (S.D.N.Y. 1990); *Bronson v. Crestwood Lake Section 1 Holding Corp.*, 724 F. Supp. 148 (S.D.N.Y. 1989).

<sup>6</sup> See Poverty & Race Research Action Council, "Keeping the Promise: Preserving and Enhancing Housing Mobility in the Section 8 Housing Choice Voucher Program." Available at <http://www.prrac.org/pdf/AppendixB-Feb2010.pdf>

<sup>7</sup> In So. Cal., the six-county region's median home price increased 20.2% year over year to a record \$655,000, according to data released Tuesday by real estate firm DQ News. That's \$25,000 more than the previous median [price record set in March](#). The 20.2% leap is the first year-over-year increase of more than 20% since December 2013. April home sales jumped 86.2% year over year with a total of 25,857 transactions, compared with 13,889 in April 2020. LA Times, May 25, 2021.

<sup>8</sup> U.S. Census Bureau. Current Population Survey/Housing Vacancy Survey, April 27, 2021.

<sup>9</sup> <https://www.wsj.com/articles/some-homeowners-arent-selling-because-they-cant-afford-to-trade-up-1162279900>. June 4, 2021. N. Friedman.

of housing will contribute to an overall increase in the number of unhoused people. Also, historically, as the economy improves, illegal housing discrimination increases. Housing providers feel they can be more selective in deciding whom to offer housing and sometimes use discriminatory reasons for their selections.

In addition, homeowner and neighborhood NIMBYism and political pressure have significantly halted many L.A. city and county approved sites to temporarily house the homeless making the need for housing vouchers even more severe.<sup>10</sup> The Ad Hoc Committee on Black People Experiencing Homelessness recommends inclusionary zoning (requiring a percentage of newly constructed units be set-aside for low-income individuals and families) and meaningful funding to support affordable housing development all with a racial equity lens to ensure thoughtful and strategic investment that considers the needs of disenfranchised communities. Yet, we know, discrimination against Blacks often prevent them from existing rental opportunities. The Committee recommends policy changes such as preventing nonviolent arrests from being used to remove individuals experiencing homelessness from federal housing assistance programs and the prohibition of federal subsidy disqualifications due to arrests made solely due to the state of homelessness like jaywalking and public sleeping. A recent study on the history of homelessness in Los Angeles by the UCLA Luskin Center for History and Policy came to many of the same conclusions.<sup>11</sup>

In closing, a federally-declared eviction moratorium in addition to the emergency rental assistance programs have helped to curb the immediate disaster of increased homelessness and housing insecurity for many but these items of relief didn't extend to all who were eligible and will end soon. Low income families with children, seniors on fixed incomes and persons with disabilities need a Universal Voucher program to ensure housing stability and to end homelessness for all.

Sincerely,  
Chancela Al-Mansour  
Executive Director  
Housing Rights Center

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<sup>10</sup> <https://www.latimes.com/opinion/story/2021-04-29/editorial-are-l-a-leaders-serious-about-homeless-housing>

<sup>11</sup> <https://newsroom.ucla.edu/releases/history-homelessness-new-approaches-los-angeles>