

Third Circuit Court of Appeals Recognizes Right to Remain for Tenants with Enhanced Vouchers

After years of persistent advocacy, Community Legal Services of Philadelphia won a tremendous victory for their clients and for all enhanced voucher tenants in *Hayes v. Harvey*. The Court held that enhanced voucher holders have a federal statutory right to remain, and, therefore, landlords of properties with enhanced voucher-eligible tenants must have good cause to terminate tenancies, whether during the lease term or upon expiration. Enhanced vouchers are provided to tenants in project-based Section-8 properties where the owner opts out of the Section-8 contract. NHLP drafted an amicus brief in the case and provided technical assistance at various points throughout the litigation.



New Trump Rule Would Place Millions of Families at Risk of Homelessness



On September 22, the Department of Homeland Security (DHS) issued an [unofficial proposed rule](#) that would make it easier for certain immigrants to be considered a "public charge" and, therefore, denied admission into the country and denied green cards because they access vital food, nutrition, and housing programs. The rule would drastically change immigration policy by expanding the types of benefits that DHS would consider in a public charge determination to include benefits such as Medicaid, SNAPs, public housing, and Section-8 housing subsidies.

NHLP condemns this proposed rule by the Trump Administration. We will continue to work with our national, state, and local partners to oppose this regulation, educate the public about the detrimental health impact it would have on families and children, and mobilize our networks to submit comments to DHS when the rule is published in the Federal Register. For more information, contact Karlo Ng (kng@nhlp.org).

California Homeowner Bill of Rights is Restored

On September 14, California Governor Brown signed a bill (SB 818) that restores a number of important procedural rights that California homeowners lost at the end of 2017 due to an automatic "sunset" provision in the state's [Homeowner Bill of Rights](#). NHLP was a co-sponsor of the bill and was involved in the original passage of the Homeowner Bill of Rights.



Among the rights restored by SB 818 is the right (and necessary time) to appeal when a mortgage servicer denies a homeowner's request for a loan modification. Since servicers

frequently make mistakes that result in wrongful denials, having an opportunity to dispute a denial can prevent foreclosure when a homeowner actually does qualify for assistance.

New Jersey & Housing Security for People with Criminal Records



Senator Cory Booker hosted a "**Housing Reentry Summit**" in early September that brought together housing authorities from across New Jersey to look at ways that they can better serve people with criminal records and people exiting from the criminal justice system.

NHLP Director of Litigation Eric Dunn spoke on a panel at the summit about rental screening fees as a barrier to finding housing and how portable screening reports can be a tool to help people secure stable housing.

Emerging Issues



The Government Accountability Office (GAO) [released a report](#) on criminal history screening requirements for federally-assisted housing and HUD's implementation of the Fugitive Felony Initiative. The report concludes that HUD failed to monitor public housing authorities' use of criminal history in light of guidance in the last decade that supports second chances, and further makes recommendations to HUD to improve compliance with program requirements.

Of Note

NHLP is excited to welcome our new staff member, **Arianna Cook-Thajudeen**, a Notre Dame – Bank of America Foundation Legal Fellow.



Arianna's fellowship project centers on the intersection between immigrant rights, the housing protections under the Violence Against Women Act, and the impact of nuisance and crime-free ordinances on marginalized groups of people.



NHLP, along with our national partners, signed a [letter](#) to Congress urging them to include sufficient funds to fully renew all Housing Choice Vouchers in the fiscal year 2019 Transportation–HUD appropriations bill. The letter also requests funding to expand the availability of vouchers for vulnerable youth, families, and people with disabilities.



Save the Date!

NHLP's 50th Anniversary Celebration!

We are 50 years strong, thanks to you.
Supporters and partners,
Members of our NHLP family,
Past and present.
Please Join Us!

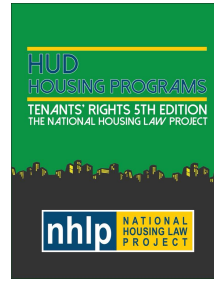
When: November 1, 2018 from 5–8pm.
Where: Agave Uptown
2135 Franklin Street Oakland, CA
On the corner of Broadway and Franklin

The Ninth Circuit Court of Appeals [ruled](#) that **cities may not punish the homeless for sleeping outside** if they do not have access to shelter elsewhere. It

affirmed that the State may not "criminalize conduct that is an unavoidable consequence of being homeless – namely sitting, lying or sleeping on the streets." The National Law Center on Homelessness and Poverty produced a great [infographic](#) on what the case means.

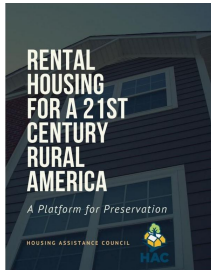


[RSVP and Donations here](#)



Congratulations to **Katie Stanley**, who won our Green Book Cover Design contest. Katie has won a free copy of HUD Housing Programs: Tenants' Rights and a one-year subscription to the digital

Green Book! Thanks for contributing with your design!



[Housing Assistance Council](#) recently published "[Rental Housing for the 21st Century Rural America](#)", which provides in-depth information on the maturing mortgage crisis in rental homes

financed by the Department of Agriculture. It provides new data and strategies to deal with the challenges posed by over 400,000 maturing mortgages in the Rural Development portfolio.

NHLP Staff
Attorney Renee Williams co-



authored [an article](#) in the San Francisco Examiner about a recent bill enacted in California, AB 2413, The Right to a Safe Home Act, which limits the harmful effects of nuisance ordinances by allowing residents to call for police or emergency services without fear of eviction. For more information on NHLP's Nuisance and Crime-free Ordinances Initiative, visit our [website](#).



Your support helps sustain NHLP's work.
Please donate today!

1663 Mission Street, Suite 460, San Francisco, CA 94103 | 415.546.7000 | www.nhlp.org