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Tackling Housing Concerns at the State-Level: Lessons From Family Impact Seminars

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TALKING POINTS

Stable, affordable, and quality housing is integral to child and family well-being. Housing instability in the United States has been on a steady rise since 2008, and it has worsened during the COVID-19 pandemic, particularly for communities of color.

Family Impact Seminars in three states—Oregon, Wisconsin, and Indiana—examined housing challenges for families who face discriminatory and predatory lending practices, high rental and homeowner cost burden, and housing instability and homelessness.

Evidence indicates that effective policy options to prevent housing issues, including excessive cost burden and homelessness, include inclusionary zoning, housing-related tax credits and tax incentives, and housing choice vouchers.

States can create and maintain affordable housing alternatives for families by prioritizing funding streams, enacting laws to protect users of housing choice vouchers and other vulnerable groups from discriminatory lending and selling practices, and investing in programs to prevent homelessness such as permanent supportive housing.

ABSTRACT

Suboptimal housing severely interferes with individual and family well-being, including children and caregivers. This is of concern because housing instability among families with children in the United States has risen since the 2008 recession, and it increased markedly during the COVID-19 pandemic. In Oregon, Wisconsin, and Indiana, housing legislation that affects families who are homeless, who are renters, or who are buying homes has demonstrated that states can create affordable housing options, protect low-income renters and homeowners, and prevent homelessness through housing trust funds and tax credits for individuals and developers, local fair housing laws, and permanent supportive housing and rapid rehousing programs.

The Importance of Housing

Safe, affordable housing is one of the most powerful determinants of individual and family health and well-being. Families with stable, independent housing are more able to provide food, clothing, transportation, and health care for themselves and their children, which reduces the likelihood of school dropout, mental health concerns, and poor overall health outcomes for all family members.[1]

Families' ability to obtain and sustain housing is a joint function of family income, housing costs, and housing availability. When they have high housing costs, families with children spend less on other basic needs. The central pillars of housing that are integral to optimal child development include quality, stability, affordability, and neighborhood.[2] Housing that falls short on any of these key domains interferes with children's and caregivers' physical, mental, and emotional well-being, both immediately and across time.[2, 3] Policy tools to help families obtain and sustain housing include increasing the supply of affordable housing (Table 1), ensuring that housing meets quality standards, offering housing vouchers to individuals and families to make housing more affordable, and providing services to assist families in achieving housing stability. When considering housing policy and implications, it is important to note that families experiencing homelessness, housing instability, and high housing cost burden are not always distinct populations. Families often cycle through various levels of housing instability. This brief examines policy levers across the spectrum of housing concerns in Oregon, Wisconsin, and Indiana.

U.S. Housing Landscape

One of the central housing concerns in the United States continues to be the challenge families face in finding adequate homes to rent or purchase. These challenges have been on the rise since the 2008 recession and only worsened during the COVID-19 pandemic. Unemployment and financial hardships due to the pandemic exacerbated existing concerns about rental affordability, particularly among lower-income households. Approximately 25% of renters and 20% of homeowners (with a mortgage) who make less than $25,000 struggle to make payments.[4] Additionally, households with children or people of color have disproportionately struggled to pay rent,[5] making it especially important for policymakers to be mindful about housing availability, affordability, and quality for historically marginalized populations.

The supply and affordability of homes for purchase or rent continues to decline across the United States, but renters are experiencing deeper financial hardships than owners. The supply of single-family homes for purchase has tightened because construction of new housing fell in 2018 to its lowest level in 25 years, and in the rental market, the supply of low-rent housing stock fell by 4 million units between 2011 and 2018.[6] Low-income tenants of color are often further limited in their residential options because of discriminatory rental screening processes.[7] Additionally, affordability has reduced in recent years because rents have increased at a rate faster than incomes. In 2019, approximately 30% of households in the United States were identified as "cost-burdened," and about 14% as "severely cost-burdened."[8] Overall, the number of cost-burdened homeowners declined, but the number of cost-burdened renters has continued to increase. Since the 2008 downturn, there has also been growth in rent-to-own contracts (Table 1) or contracts for deeds, which can lead to cycles of unstable housing for families. Cost burdens for both renters and

Table 1. Definitions of Key Housing Terms

Affordable housing: In general, housing for which the occupant(s) is paying no more than 30% of income for gross housing costs, including utilities. Families who pay more than 30% of their combined household income for housing costs are considered *housing cost burdened*. Families who pay more than 50% of household income for housing costs are considered to be *severely cost burdened.*

Area median income (AMI): Income of the median household in a given area. The U.S. Department of Housing and Urban Development (HUD) determines income limits based on AMI, which are calculated as percentages of median incomes in the area and include adjustments for families of different sizes. Households at less than 80% of AMI are considered low income, households at less than 50% of AMI are considered very low income, and households at less than 30% of AMI are considered extremely low income.

Homelessness prevention: Activities or programs designed to prevent the incidence of homelessness, including, but not limited to, (1) short-term subsidies to defray rent and utility debts for families that have received eviction or utility termination notices; (2) security deposits or first month's rent to permit a homeless family to move into an apartment; (3) mediation programs for landlord-tenant disputes; (4) legal services that enable representation of low-income tenants in eviction proceedings; and (5) payments to prevent home foreclosure.

Housing Trust Funds: The Housing Trust Fund (HTF) provides grants to states to produce and preserve affordable housing for extremely low- and very low-income households.

Low-Income Housing Tax Credit (LIHTC): A tax incentive intended to increase the availability of low-income housing. The LIHTC program provides income tax credits to developers and owners of newly constructed or substantially rehabilitated low-income rental housing projects.

Point-in-time (PIT) counts: Unduplicated one-night estimates of sheltered and unsheltered homeless populations. The one-night counts are conducted by continuums of care nationwide and occur during the last week in January of each year.

Rent-to-own and land contracts: Also known as "contracts for deed," these are private real estate contracts between buyer and seller in which the buyer makes payment installments similar to a mortgage, but the seller maintains ownership of the property or land until the final payment has been made.

Note. All definitions are adapted from HUD's Glossary of Terms or the HUD Exchange except for rent-to-own contracts (reference provided within text)

Table 2. Viewing Policies Through the Family Impact Lens

When policies or programs are enacted or established, the family impact lens considers	When policies or practices are implemented, the family impact lens considers
▪ How families are affected by the issue, ▪ In what ways, if any, families contribute to the issue, and ▪ Whether involving families in the response would result in better policies and programs.	▪ Practices that treat families with dignity and respect, ▪ Information sharing so families can make informed decisions, ▪ Family choice regarding available services and the extent of participation, and ▪ Family involvement in parent/professional collaborations and in decision making about family goals.

Note. Table adapted from Bogenschneider et al., (2012). The family impact rationale: An evidence base for the Family Impact Lens. www.purdue.edu/hhs/hdfs/fii/wp-content/uploads/2015/06/fi_rationale_0712.pdf [10]

owners, already high at the start of the COVID-19 pandemic, worsened through 2020, particularly in communities of color.[8]

Insufficient availability, affordability, or suitability of housing can lead to homelessness. The impact of the economy on homelessness comes into clear focus during recessions. For instance, the number of families experiencing homelessness steadily increased following the 2008 recession and did not show reductions until 2013.[9] Although overall rates of homelessness were declining in the United States before the pandemic, unstable housing and spells of homelessness remained a concern for families with children.[6] Families with children (households with one adult and at least one child under age 18) represent one-third of all people experiencing homelessness. In 2019 and 2020, about 171,500 people in families with children in the United States were experiencing homelessness during the annual point-in-time count (Table 1),[9] a statistic that is known to be an underestimate because it does not account for people who are sharing housing, and it often undercounts unaccompanied youth younger than age 18. For this reason, advocates and policymakers are closely watching the effects of the COVID-19-related economic downturn on family housing stability.

What Are Family Impact Seminars (FIS)?

Family Impact Seminars are evidence-based presentations, discussion sessions, and briefing reports that bring nonpartisan, solution-oriented research on family issues to state-level policymakers (e.g., legislators, legislative staffers, state agency leadership). Over 20 states regularly hold or have held seminars, which are usually hosted at the state capitol and include presentations by experts, a Q&A from lawmakers, and a written report.

To learn more about Family Impact Seminars, including how to bring them to your state and to review materials from past seminars, visit the Family Impact Institute website.

Family Impact Seminars

In the same way that policymakers consider the economic impact of pressing issues and policies, Family Impact Seminars (FIS; see box to the left) encourage policymakers to use a Family Impact Lens,[10] to provide insights into how policies and programs foster or impede the functioning of families with diverse structures, needs and resources, and cultural backgrounds (Table 2).

Drawing on Family Impact Seminars presented in Oregon, Wisconsin, and Indiana, it is clear that there is a link between state legislation and families' ability to obtain and sustain adequate housing. The Oregon FIS addressed the link between four dimensions of housing—affordability, quality, location, and stability—and the well-being of children and families.[11] Wisconsin's FIS discussed demographics related to homelessness, best-practice programs for families, and state-centered solutions.[12] Indiana's FIS addressed associations between rent-to-own land contracts and unsafe housing conditions, foreclosure, and eviction.[13] It should be noted that the housing landscape across the country is constantly evolving, but the policy issues discussed in this brief and their impacts on family well-being persist.

OREGON

Housing affordability is a serious concern in Oregon, with nearly 80,000 low-income families with children considered severely cost-burdened.[14] The cost-burdened population includes children (28%), working adults (40%), seniors (13%), adults with disabilities (22%), and veterans (4%).[15] Since 2007, median rents for apartments increased more than 1.5 times the median household income of renters each year (adjusted for inflation).[15]

The 2018 Oregon FIS was titled "How Housing Policy Can Make a Difference in Child and Family Outcomes."[11] In Oregon, as elsewhere, communities of color withstand the worst of the housing crisis: they are more likely to be homeless and to experience severe housing burden, and they are less likely to own their own homes than White residents.[16] Similarly, the Oregon governor's children's agenda emphasized the need to find pathways out of poverty for children to achieve their full potential, emphasizing the significance of stable and affordable housing and the link between neighborhoods and schools, childcare, and health care.[17]

The seminar was designed to address how housing is foundational to child and family development; to synthesize what is known about four pillars—affordability, quality, location, and stability—in relation to children's development; and to outline key housing policy solutions.[11] The seminar reinforced the message that housing policy is also health and education policy because the well-being of children and families is intimately connected to the quality and stability of the housing, and the neighborhoods, in which they live.

Relevant Legislation

The Oregon FIS seminar appears to have contributed to the passage of the nation's first statewide rent control bill (SB 608), which was signed into law in February 2019. The bill specified two important provisions. First, people who have been in their homes for at least one year cannot be evicted without just cause; landlords must provide a reason. When there is cause, tenants may receive a notice of at least 90 days and be paid 1 month of rent. There are some exceptions, such as if the owner lives on the property and there are only two units, or if the unit will be demolished or renovated, a family member moves in, or the unit is sold to someone who will move in. Second, it limits how much landlords can increase rent to a maximum of 7% each year, plus inflation, which for 2019 was slightly more than 3%. Here, too, there is an exception: this applies only to dwellings that are at least 15 years old. Consistent with the Family Impact Lens, this policy facilitated the treatment of families with dignity and respect.

WISCONSIN

In January 2016, 5,685 individuals in Wisconsin were homeless on the night of the annual point-in-time count. Nearly half (49%) of these individuals were in families, compared to 35% of the homeless population in the United States were in families. Compared to the national average, Wisconsin's homeless population was much less likely to be chronically homeless (6% vs. 16%) and much more likely to have chronic substance abuse problems (15% vs. 7%), though with similar rates of severe mental illness (22% vs. 20.0%).[18] This led to a policy opportunity that put homelessness on the legislative agenda in that year.

Legislators on the Wisconsin FIS advisory board were interested in learning how many people are homeless, what leads to homelessness, which programs are available, and what state policymakers could do.[12] State policymakers were particularly concerned with youth aging out of foster care, homeless families, and homeless youth (who could be vulnerable to sex trafficking). Several policy options were shared with legislators. One option was to reinstitute the Wisconsin Interagency Council on Homelessness. The U.S. Interagency Council on Homelessness encourages each state to form a council of state agency heads and create a plan to end homelessness. Other evidence-based options shared with legislators included rental assistance, permanent supportive housing (e.g., Housing First), and policies to increase the supply of affordable housing (e.g., integrating multiple funding sources from local, state, and federal governments).

Some of the strongest evidence to date about what works to improve the housing stability and well-being of families experiencing homelessness comes from the Family Options Study.[19] This 3-year study sponsored by HUD showed that offering long-term housing subsidies (typically a housing choice voucher, HCV) is the most effective option to benefit families. Long-term subsidies were shown to prevent homelessness and reduce food insecurity, child behavior problems, and school moves. Conversely, families given priority access to either community-based rapid rehousing (a temporary housing subsidy up to 18 months) or project-based transitional housing (a temporary, service-intensive stay at a facility) fared no better than families provided the "usual care" (i.e., access to any housing support offered in the community in the absence of immediate referral to other interventions). The researchers concluded that most family homelessness is a "housing affordability problem that can be remedied with long-term housing subsidies without specialized services."[20]

Relevant Legislation

In 2017, following the FIS, Wisconsin's governor proposed an increase in funding to address homelessness for the first time in 25 years.[21] A bill to establish the Interagency Council on Homelessness, a policy option presented at the seminar, was introduced and signed into law in November 2017 (see

Assembly Bill 234 or 2017 Wisconsin Act 74).[22] In 2018, a new Wisconsin law (Wisconsin Act 204) made it easier for unaccompanied youth age 14 or older to access emergency outpatient mental health treatment without a parent's consent.[23] And in 2019, legislation allowed 17-year-old minors to enter shelters or transitional living programs without a parent's signature (Wisconsin Act 22).[24] Consistent with the Family Impact Lens, these legislation efforts increase the access and availability of services for children and families in a direct attempt to improve their well-being.

INDIANA

Shifts in the housing market in Indiana have been a challenge for families seeking to rent or own housing. The supply of low-rent housing options in Indiana has declined steadily since 2014, and as of 2020, there was a 126,952-unit shortage of affordable rental homes available to extremely low-income renters (renters whose incomes were at or below the poverty level or 30% of their area's median income).[25]

Both rental and purchase prices for homes have been rising faster than household incomes, reducing affordability.[25] Between 2001 and 2017, the median rent in Indiana increased by 2%, but the median renter household income dropped by 11% (percentage changes adjusted for inflation). With this widening gap between rents and incomes, in 2019 Indiana had 384,100 low-income renters who were severely cost-burdened, paying more than half their income toward rent. This population included children (31%), working adults (35%), adults with disabilities (20%), seniors (11%), and veterans (3%).

The 2019 Indiana FIS, offered by the Indiana Consortium of Family Organizations, focused on shifts in housing markets and their implications for families. As in Oregon, the seminar was grounded in evidence that access to safe and habitable housing is key for the healthy functioning of families and children.[13]

Indiana has in recent years also seen an increase in the number of rent-to-own contracts, likely because of a 50% increase in vacant and abandoned housing between 2000 and 2010 that allowed corporate investors to acquire and control large numbers of properties.[26] Although federal law treats land contracts like mortgages in that the consumer owns the home, state laws often assign consumers the obligations of homeowners but with few legal protections. For example, consumers are not protected by rules requiring sellers to disclose problems related to safety or habitability, such as lack of plumbing or heating, or the presence of mold or lead paint.[27] Consumers also have limited protection against eviction, and large up-front option fees have led to eviction rates in Indiana 1.7 times higher than the national average (4.1 evictions per 100 rental homes in Indiana compared to 2.3 nationally). Additionally, contract-for-deed activity has found to be concentrated in lower-income communities that have a higher proportion of racial and ethnic minority families.[28] Between 2005 and 2016, Indiana was one of the top six states containing the highest number of rent-to-own contract records.[28]

Possibly because of these trends, homelessness of families with children in Indiana grew 14% between 2018 and 2019, one of the largest absolute increases in the country.[29] In the 2019 point-in-time count, the 5,471 people in the state who were homeless included 1,688 individuals in families with children and 258 unaccompanied youth.

Relevant Legislation

Indiana's laws on tenant-landlord rights have remained largely unchanged in recent years and offer limited protections for tenants. A significant Indiana State Code amendment in 2002 (Indiana Code 32–31–8) sought to ensure better housing conditions for tenants, but recently enacted state legislation appears to run counter to that goal.[30] Indiana SB558 (2017 Regular Session) banned cities from passing ordinances to promote inclusionary zoning for affordable housing,[31] and Indiana HB1300 (2015 Regular Session) prohibited counties, municipalities, or townships from adopting ordinances requiring landlords to participate in Section 8 (the HCV) or similar federal programs,[32] effectively preempting the implementation of housing voucher protections. To protect tenant rights, the Indiana governor vetoed a bill in 2020 (S.E.A 148) that would have limited renters' protections by prohibiting local governments from regulating landlord-tenant relationships,[33,34] but the Indiana General Assembly later overrode this veto.

Despite inertia at the state level, some local officials passed a set of ordinances. For instance, Indianapolis requires tenants to be provided with a "Notice of Tenant Rights and Responsibilities" and prohibits landlords from evicting tenants in a retaliatory fashion, under threat of a fine.[35] Consistent with the Family Impact Lens, these requirements help ensure that families are provided with the information necessary for them to make informed decisions regarding housing.

Notable policy opportunities exist in Indiana, which currently does not have state-level affordable housing tax incentives to increase the development of affordable housing.[36] While a recent Indiana Supreme Court case helped differentiate rental from land contract units,[37] the state still lacks formal protections to protect buyers in rent-to-own contracts.

Policy Strategies and Their Benefits

A number of policies have been successfully implemented at state and local levels to address concerns across the spectrum, from housing instability from homelessness to the cost burdens of ownership.

Inclusionary zoning (IZ) refers to programs at the state or municipal level that create affordable housing units by requiring or encouraging the development of below-market affordable housing alongside market-rate rentals.[36,38]

Since the 1970s, more than 800 IZ programs have helped expand the availability of below-market-rate rentals across 25 states and the District of Columbia.[39] For instance, in 2016, Oregon's 17-year ban on IZ was repealed, allowing the city of Portland to mandate that multifamily projects of over 20 units are required to set aside at least 20% of total units for households earning up to 80% AMI. Inclusion zone efforts may benefit from federal Housing Trust Fund grants to states that must be used to produce or preserve affordable housing. Funds may be used to purchase, build or renovate properties, at least 80% of which must be used for rental properties and 10% to support home ownership.

Although findings regarding IZ outcomes are somewhat mixed, on balance they emphasize the benefits of IZ in creating affordable housing, encouraging retention, and improving equity,[40] particularly when they are mandatory rather than voluntary.[41] A successful IZ program in Montgomery County, Maryland, required that 13% of new developments of 20 units be built as affordable units (for low- and middle-income families), and that 40% of new developments be offered through public housing agencies and nonprofit housing providers.[42] Over 30 years, the program produced 13,000 affordable units and generated over $477 million in private-sector investments in affordable housing programs across the county.

Affordable housing tax incentives are intended to generate private investment in affordable housing by providing credits on taxes owed for investments in affordable housing.[38] Nineteen states and the District of Columbia have state-level tax incentives for new construction or rehabilitation of existing affordable housing for low-income households, 14 of which pair tax credits with federal Low-Income Housing Tax Credits (LIHTCs) to address gaps in development costs.

The Illinois Affordable Housing Tax Credit boosts private investment in affordable housing by offering participating nonprofit housing developers a onetime state income tax credit equal to 50% of their donation.[43] Colorado's Affordable Housing Tax Credit, which is paired with the federal 4% LIHTC, has helped finance the construction of 6,140 affordable housing units since 2014.[44] In 2018, the program was extended for 5 years, and its annual allocation doubled from $5 million to $10 million.

Voucher nondiscrimination laws are implemented at state and local levels to ensure that recipients of HCVs are protected against discriminatory lending practices. HCVs are administered by HUD and managed at the local level by public housing agencies; the voucher program is the largest federal rental assistance program in the United States.[36,38] However, discriminatory housing practices against voucher holders are on the rise.[45]

Voucher nondiscrimination laws are associated with notable reductions in the share of landlords who refuse to accept vouchers,[46] but only one in three voucher households are protected by nondiscrimination laws.[45] Laws in 11 states and the District of Columbia prohibit housing providers from refusing to rent solely on the basis of a renter's source of income when that source is tied to housing vouchers.[36] Indiana is one of two states that prohibits cities from implementing housing voucher protections.[45]

Conclusions

When families have safe and affordable housing, they are better able to care for their members—especially children—which reduces the burden on the public safety net. A number of housing policy concerns are prevalent across the United States, including severe housing cost burdens in Oregon, chronic homelessness in Wisconsin, and problematic rent-to-own contracts in Indiana. Although these states have taken meaningful steps toward addressing these concerns (e.g., rent control bills, establishment of interagency homelessness councils, more stringent renter protection laws), several policy windows still exist. Effective state-level policy tools that have been shown to address these concerns include IZ, affordable housing tax incentives, and voucher nondiscrimination laws. Overall, these policy strategies have been shown to increase low-income families' access to access to higher opportunity neighborhoods (i.e., those with low poverty and crime levels and better-performing schools), thereby facilitating improved adult and child educational and well-being outcomes.[47,48]

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POLICY IMPLICATIONS

There are several promising policy options at the state and local levels that can help to address housing instability concerns for families.

1. **States can create and maintain affordable housing alternatives for families. States play an important role in providing funding streams for affordable housing, particularly in the case of cities and counties that do not receive federal program funding. Through housing trust funds and tax credits, and by eliminating restrictive zoning policies, states can encourage developers to create below-market housing alternatives. Additional investments at the state or local level would allow for more low-income households to receive assistance.**
2. **States can protect renters and homeowners. State governments can allow cities to enact local fair housing laws to protect individuals and families who are HCV holders. States can also regulate rent-to-own contracts by requiring third-party inspections and home appraisals, standard contract forms listing key terms of the transaction, and formal records of the sale within a short time period to protect buyers in case the seller declares bankruptcy, fails to pay taxes, or sells the home to someone else.[27]**
3. **Create state-level tools to prevent families from facing homelessness. The HUD-sponsored Continuum of Care program provides funding and resources for states to form interagency homelessness councils to devise and implement plans to tackle homelessness. Additionally, evidence-based solutions such as permanent supportive housing (providing housing and mental health services to those who need it) and rapid rehousing programs (short- and medium-term rental assistance to tenants and supportive services for households experiencing homelessness) have been shown to increase long-term savings for the state by reducing the use of homelessness assistance programs as well as the number of unsheltered individuals.[49]**

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