



Housing Weekly Recap

December 17, 2021

The next Housing Advisory Group call is on January 3, 2022! We will not have Housing Advisory Group calls on December 20 or 27. Any LeadingAge member can join the Housing Advisory Group's weekly calls and email listserv by selecting "Housing Advisory Group" in your membership account's Online Subscriptions, or by emailing Linda (lcouch@leadingage.org) or Juliana (jbilowich@leadingage.org).

LeadingAge Coronavirus Update Calls. All Update Calls are at 3:30 PM ET. Workforce issues around the country are still headline news and many LeadingAge members are still wondering "where did the workers all go?" On our Monday, December 20 call, we will welcome back Mark McInernay, Director of the Center for Workforce Research and Information for the state of Maine. He will talk about the latest trends in the workforce and what we have learned about how workers are coming back into the workforce and some possible recruitment ideas for LeadingAge Members. LeadingAge members are also working hard to stay informed about the omicron variant and how we can control transmission. On our Wednesday, December 22 call, we will be joined by Ronald Nahass, a leading infectious disease doctor who will take about the latest trends with COVID-19 and provide ideas and strategies for our members to control transmission and protect staff and residents. If you haven't registered for LeadingAge Update Calls, [you can do so here](#).

HUD Responds to Tornado Displacement, Requests Vacancy Information. Following devastating tornadoes that tore through multiple states in mid-December, HUD is coordinating with FEMA to identify vacant units to rapidly rehouse disaster-displaced households. HUD and FEMA are requesting bi-weekly vacancy information from housing communities in all impacted states, including Kentucky, Illinois, Arkansas, Missouri, and Tennessee. HUD is also still accepting ongoing vacancy information for Louisiana and New Jersey in response to previous disasters. In addition, HUD housing providers in a Presidentially-Declared Disaster (PDD) area should submit property damage information to HUD based on their state. More information, including the list of counties and the online forms used by housing providers to submit vacancy and property damage information to HUD, click [here](#).

Senate Consideration of Build Back Better Slips to 2022. Senate consideration of the \$2.2 trillion Build Back Better Act will not happen in 2021 as Senators continue to negotiate sticking points on the bill. Senator Joe Manchin (D-WV) remains concerned about the bill's overall cost, heightening concerns that the bill could be scaled down further. The bill's policies on state and local taxes, child tax credits, and immigration also remain under discussion. The Senate version of Build Back Better includes numerous provisions beneficial to affordable housing providers. In addition to \$157 billion for HUD programs outlined the week of December 3 in the Senate Committee on Banking, Housing and Urban Affairs bill, the Senate Committee on Finance issued its portion of the bill, including a temporary 10% increase to state low income housing tax credit allocations, fixes to help nonprofits retain ownership of housing credit housing by changing the special right of first refusal, a permanent 50% basis boost for properties serving extremely low income tenants and an 8% minimum set-aside for extremely low income

properties, and a lowering of the bond financing threshold from 50% to 25% for five years, from 2022 to 2026.

HUD's FY22-26 Strategic Plan. HUD is soliciting feedback on the focus areas for its FY22 – FY26 Strategic Plan. The preliminary focus areas are: supporting underserved communities, ensuring access to and increasing the production of affordable housing, promoting homeownership, and advancing sustainable communities. We're sure we'll discuss these on a Housing Advisory Group call and we welcome member feedback as LeadingAge assembles our reaction to the draft areas to HUD by the January 28 deadline. Read the draft [here](#).

HUD Issues Additional Guidance for New Time and Disclosure Requirements for Non-Payment Evictions. HUD has issued supplemental guidance to implement new time and required disclosures when notifying residents about lease terminations for non-payment of rent. Earlier this fall, HUD had published an Interim Final Rule requiring 30-days' notice and the disclosure of the availability of emergency rental assistance, prior to evicting a HUD-assisted tenant for non-payment of rent. The Notice sets out specific details related the requirement, and officially activates the new requirements during the current public health emergency. The HUD Notice is available [here](#).

HUD Programs Automatically Eligible for Weatherization Assistance Program. The Department of Energy announced automatic eligibility for its Weatherization Assistance Program of HUD means-tested programs with income qualifications at or below 80% of area median income, including project-based rental assistance, PRAC, and public housing. The DOE's Weatherization Program Notice 22-5 replaces an earlier, long-expired agreement the DOE had with HUD and allows for the automatic qualification of residents and buildings of certain HUD programs for the Weatherization Assistance Program. The December 8 notices expands WAP categorical eligibility to privately owned multifamily buildings receiving HUD assistance that meet certain income eligibility requirements, housing owned and operated by public housing agencies, and privately owned multifamily buildings that house residents with housing choice vouchers. The Notice will make it possible, for example, for a LeadingAge affordable senior housing provider member to work with their state's Weatherization Assistance Program to bring that program's benefits of energy efficiency updates to the entire housing community. In the Notice, the DOE concludes that the income eligibility to participate in the WAP (households with incomes up to 200% of Federal Poverty Guidelines) sufficiently overlaps with income qualification levels of HUD's means-tested programs. The recently enacted bipartisan infrastructure framework includes \$3.5 billion for the WAP; typically, this program receives about \$315 million in annually appropriated funding. The new Notice will help WAP offices expedite the distribution of these funds. Read the Weatherization Program Notice [22-5](#).

Number of childless older adults is increasing. Declines in marriage and fertility are starting to be reflected in the lives of aging adults, according to a [press release](#) today from the US Census Bureau. Approximately 16.5% of Americans over age 55 have no children, according to a report released by the Census Bureau at the end of the summer, [Childless Older Americans: 2018](#). Childless older adults have higher levels of personal net worth and educational attainment and are less likely to have a disability. Aging services providers should keep an eye on this increasing trend; fewer sons and

daughters means there will be fewer informal caregivers available to help childless older adults in the coming years.

Updated EEOC Guidance on Whether COVID-19 Qualifies as a Disability. The Equal Employment Opportunity Commission (EEOC) updated its [guidance](#), saying that a person diagnosed with COVID-19 may be considered to have a disability under the Americans with Disabilities Act (ADA) under certain circumstances. A person diagnosed with COVID-19 who has mild symptoms that resolve in a few weeks without issue will not be considered to have a disability under the ADA. A person *maybe* considered to have a disability when their COVID-19 symptoms cause mental or physical impairment that "substantially limits one or more major life activities." The ADA requires employers to offer reasonable accommodations that allow workers with disabilities to do their jobs and protects workers from discrimination based on their disabilities.