



## Senior Housing Weekly

September 15, 2023

**LeadingAge Housing Network Meeting on September 18.** Join the LeadingAge Housing Network on Monday, September 18, 12:30 – 1:30 p.m. ET, for our regular housing call. We'll discuss updates on HOTMA, Congressional funding for and the possibility of a government shutdown, vaccine clinics and tests, other updates, and questions from your provider peers on waiting list management. Participation in the Network is open to all members of LeadingAge; for details on joining the Network (and attending Monday's meeting) contact Juliana ([JBilowich@leadingage.org](mailto:JBilowich@leadingage.org)) or Linda ([LCouch@leadingage.org](mailto:LCouch@leadingage.org)).

### **LeadingAge Policy Update Calls; all calls are at 3:30 p.m. ET:**

- Social isolation and loneliness have been associated with an increased risk of dementia and premature mortality from all causes. The pandemic has exacerbated the loneliness issue, but it has also increased acceptance of virtual engagement to meet social needs. Join us on **Monday September 18** to hear from Meghan Young, Associate Director for Opening Minds through Art (OMA) at the Scripps Gerontology Center, Miami University. She will talk about a new virtual tool has been developed to engage older and younger adults in meaningful conversations and fun activities.
- Every year over 2.8 million Americans sustain fall-related injuries that lead to emergency room visits and treatments. It's statistics such as these that reveal the seriousness of falling. The good news is that there are some innovative fall prevention programs available that can successfully reduce risk. One such program adopted by a LeadingAge member, with state funding support, is "Stepping On." Join us on **September 20** to hear from Marla Gordon, Director of Clinical Services at Kendal at Home on how they adopted the program to reduce falls at their organization and what other members can do to start such a program.
- With an updated vaccine formula rolling out this fall, it's important to know how this can impact our members and the people they serve. Join us on **September 25**, to hear from Todd King, Senior Director of Clinical Services, and Nicole Kostelic, Executive Director of Quality LTC at Omnicare, a CVS Health Company. They will talk about what's new with the flu, COVID, and additional vaccination considerations, and discuss overcoming vaccine hesitancy.

Members and other interested individuals can sign up to join LeadingAge's Policy Update calls [here](#). You can also find previous call recordings of every 3:30 LeadingAge call [here](#). Note that to access recordings of the calls you need a LeadingAge password. Any staff member of any LeadingAge member organization can set up a password to access previous calls and other members-only content.

**LeadingAge Calls on HUD to Delay HOTMA & Adjust HOTMA Asset Limit Enforcement.** In a September 12 letter to HUD leadership, LeadingAge requested "urgent action" on HOTMA implementation. HOTMA stands for the "Housing Opportunity Through Modernization Act," an affordable housing reform law from 2016, parts of which HUD is implementing this year. The law requires major changes to the way housing providers handle tenant income calculations and certifications of continued income and eligibility for affordable housing programs. While some changes are intended to streamline processes at affordable housing communities, some changes – including new limits on assets, like savings or other property, in order for a household to qualify for HUD rental assistance – could negatively impact

residents currently living in HUD-assisted communities. LeadingAge's letter states: "On behalf of our nationwide membership of affordable senior housing providers and the many older adults they serve, we value HUD's thoughtfulness in implementing HOTMA. However, the current implementation approach is not aligned with congressional intent and will cause harm to residents." The letter requests three actions from HUD: Correcting the agency's interpretation of the enforcement of asset limitations; clarifying exceptions to new asset limitations based on aging-related factors; and delaying certain implementation requirements under HOTMA. View LeadingAge's letter [here](#). LeadingAge will keep members updated on implementation guidance from HUD. To access HOTMA training materials from LeadingAge, click [here](#).

**Rising Insurance Rates, Inferior Products Unsustainable for Housing Providers.** On September 14, LeadingAge submitted a letter for official record of the Senate Committee on Banking, Housing, and Urban Affairs September 7 [hearing](#), "Perspectives on Challenges in the Property Insurance Market and the Impact on Consumers." In addition to offering support for the September 7 testimony of LeadingAge member Michele Norris, National Church Residences, our September 14 letter highlights the fact that insurance carriers and brokers conflate independent, affordable senior housing with healthcare settings and offer insurance products with greatly increased costs, demand much higher deductibles, or both. LeadingAge is pleased the Committee is gathering information and searching for solutions. "The solution is not how to pay for runaway insurance increases. The long-term, responsible solution is to reign in and normalize the cost of insurance for affordable housing with policies that protect current and future residents, the federal investment, and owners. Until then, HUD funding that does cover exorbitant insurance costs takes away, dollar for dollar, funds that should be spent to address the severe shortage of affordable housing in this country," LeadingAge's September 14 letter says, in part. Read [LeadingAge's September 14 letter](#) here.

**LeadingAge to Host Discussion on Property Insurance Issues in Affordable Housing (Members Only) - October 3 at 1 p.m. ET.** Following a recent congressional hearing on insurance issues in affordable housing, LeadingAge is hosting a series of member discussions to review nationwide trends and compile feedback to HUD. Affordable senior housing providers have reported double-digit insurance rate increases since the start of the pandemic, many with no claims history. HUD has taken only limited action so far to help housing providers navigate the costly increases. The LeadingAge discussion will build on a strategy developed in 2022 by LeadingAge's housing policy staff and will incorporate updates from brokers, HUD, and housing providers. To join our next call on October 3 at 1:00 PM ET, email Juliana ([jbilowich@leadingage.org](mailto:jbilowich@leadingage.org)).

**HUD Shutdown Plan & FAQs.** HUD has updated its Contingency Plan, a document every federal agency is expected to have detailing how it will and will not function during a government shutdown. Fiscal year 2024 begins on October 1 but members of Congress are miles apart on agreeing to the content of continuing resolution, which would keep federal programs running absent full appropriations bills. Because of the current stalemate there is much talk of at least a short shutdown. The Contingency Plan spells out HUD's staffing and functional operations during any shutdown. The [HUD Contingency Plan for Possible Lapse in Appropriations 2023](#) says that 339 of HUD's 8,528 staff would continue working full time as "excepted" employees to perform activities that are essential to operate HUD during a lapse in appropriations and another 1,116 HUD employees could be called in on an intermittent basis to work solely on excepted activities. HUD's Contingency Plan also includes, starting on page 72, an FAQ for HUD stakeholders; FAQs specific to HUD's Office of Housing begin on page 80.

**House, Senate, White House Wrangle on Appropriations.** A September 12 [release](#) from the White House outlines many of the damaging impacts of House appropriations bills, including state-by-state impacts. Early in the year, as part of an agreement to raise the federal debt ceiling, the White House, Senate, and House agreed on overall fiscal year 2024 (FY24) spending caps. The Senate proceeded to write its 12 appropriations bills under the confines of those caps plus a \$14 billion addition tacked on late in the Senate process. The House proceeded to write its bills at levels much less than the agreement allowed. In all, the House and Senate bills are about \$70 billion apart from each other in total funding. The House bills, the White House said, would result in the elimination of 20,000 HUD Housing Choice Vouchers, including 6,000 used by older adults; would result in half a million fewer people receiving job training and employment services through the Department of Labor; and would eliminate funding for the Agency for Healthcare Research and Quality, which would end long COVID research and delay other priority health services research at the National Institutes of Health. Also on September 12, the Senate began consideration of a package of three appropriations bills that leadership had hoped would move smoothly with bipartisan support but stalled on September 14 amid partisan tensions. The Senate package includes the [HUD](#), Agriculture, and Military Construction-VA bill. LeadingAge continues to urge stakeholders to [contact their members of Congress](#) on appropriations bills. Minimally, a continuing resolution (CR) to avoid a shutdown and keep federal programs funded past the October 1 start of FY24 will be necessary but its path to enactment is unclear as members of the conservative House Freedom Caucus have said they will oppose any CR that does not also include the Border Security Act (HR 2).

**LeadingAge Joins 680 Stakeholders Urging Congress to Fund the Government.** On September 12, LeadingAge joined a coalition of 680 local, state, and national organizations in sending a letter to every member of the House and Senate urging passage of a clean, bipartisan continuing resolution (CR), including emergency funding that supports current services and addresses urgent needs. Without additional funding, the government will face a potential shutdown when the new fiscal year begins on October 1. “Shutdowns harm our nation’s overall economy, the financial security of individuals and families, government efficiency, and the public’s access to needed services,” the letter states. “A shutdown would put the nation’s economy at risk, delay or interrupt services to millions, and disrupt the jobs of over a million workers, making it harder for people to put food on the table, a roof over their heads, and stay safe and healthy.” [Click here to read the full letter.](#)

**Red Flags for Nonprofits in Housing Tax Credit Deals.** Along with the National Housing Trust and the law firm of BC Davenport, LeadingAge has updated a warning sheet of 10 red flags nonprofit general partners want to be on the lookout for as their low income housing tax credit (LIHTC) communities near year 15. As they have for several years, a minority of investor partners continue to challenge nonprofit transfer rights under the LIHTC program and pressure nonprofits to abandon their transfer rights, pay a substantial buyout, agree to a forced sale, or otherwise provide financial benefit to the investor. These firms appear to be aggregating investor interests in LIHTC partnerships; asserting myriad claims and arguments against project transfers, including transfers to nonprofits; and extracting value from the project or nonprofit. Nationally, 33% of LIHTC apartments have at least one resident who is 62 or older. Read the updated [10 Red Flags in LIHTC Deals.](#)

**HUD Awards First Wave of Green Retrofit Funding.** On September 13, HUD awarded approximately \$18 million to affordable housing providers under the Green and Resilient Retrofit Program (GRRP). The funds will support upgrades to HUD-assisted Multifamily Housing communities to advance energy efficiency and climate resilience. This is the first round of GRRP awards to be released, with additional rounds to be awarded throughout 2023 and 2024. According to a press release from HUD, the first round of awards will benefit 28 affordable housing communities serving more than 3,400 low-income

households, including older adults and people with disabilities. Following congressional funding for the program through the Inflation Reduction Act, [LeadingAge advocated with HUD to focus on equity and scalability in the funds distribution](#) to project-based Section 8, Section 202 Supportive Housing for the Elderly, and Section 811 Supportive Housing for Persons with Disabilities in the form of grants or loans. LeadingAge also recommended “standard” energy efficiency and climate resilience projects that HUD should deem eligible for the funds. Forthcoming funding awards include “Leading Edge” and “Comprehensive” projects to make green improvements. HUD is accepting applications in waves to allow providers to apply throughout the coming year. More information is available [here](#).