

COMMUNICATION TO THE BOARD REGARDING ITEM 7G OVERHOUSED RULE

From: Friends of Adeline <friendsofadeline@gmail.com>
Sent: Thursday, April 14, 2022 3:21 PM
To: Gonzales-Levine, Rachel <RGonzales-Levine@cityofberkeley.info>
Subject: displacement and instability

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Friends of Adeline
An organization of residents and neighbors in South Berkeley
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April 14, 2022

Dear Berkeley Housing Authority Staff and Board members,

As advocates for our community members and families, Friends of Adeline is profoundly concerned about policies being enacted that contribute to their displacement and instability.

It has long been a systemic issue of racism, oppression, capitalism, injustice and inequity for those who are working class to suffer because of unjust policies, bureaucracy, economics and capitalism. As we recognize the value of systems, and the practicality and usefulness of structure, we are also aware that the rigidity of those same tools often cause actions that create detriment, displacement and homelessness.

In May of 2020 we reached out with concerns about the displacement of families, who are long time participants in the Section 8 program, who become vulnerable due to a change in household composition. We understood that the unit size of a voucher is determined by the number of adults and children in the home. One bedroom is given to the adult and an additional bedroom is given for every two children. Therefore, a family with one adult and three children would have a three-bedroom voucher. Should one of the children become of adult age and seek to establish themselves on their own, the family size would obviously decrease to one adult and two children. At this point the Section 8 program would decrease the participant's voucher size to a two-bedroom voucher forcing the rest of the family to move. The timeline for this move could range from 30 days to 11 months depending on the time of the participants' household change in composition.

We found this to be a catalyst for a multiplicity of problems, heightened by many additional factors that affect clients such as:

- The inequity of the housing market.
- The inability to increase income (without it affecting their payment standard) in order to save for moving costs.
- Being uprooted from where they have established "Home" including relationships and support systems with neighbors and/or family, school placement etc.
- If they are living in a location in which they chose to be near resources such as transportation, shopping, groceries, hospital, library etc. they could lose access to those resources.

Section 8 clients can typically be experiencing any one of these factors, and are most likely experiencing ALL. The effects of this can lead to or contribute minimally to the detriment of a family's mental health, displacement and homelessness.

We acknowledge and are grateful for the previous work done by the Housing Authority in 2020, to address the different challenges around the hardship of moving, by adjusting the timeline. As we understand this has been changed to allow participants 1 year to move with an opportunity to extend an additional year if participants are experiencing continued challenges.

However, in order to create stability for the family members who are remaining on the voucher we are asking BHA staff and the Board to consider adjusting this policy one step further.

It is important that you allow the family remaining to stay on their current voucher size as long as the number of bedrooms does not exceed the number of actual family members in residence; we recognize that at the time another family member may "grow up and out", leaving only two members in the household (using our previous example), it would be reasonable that their voucher, at that time, be decreased to a two bedroom voucher with the same extended timeline for moving.

According to The Regional Analysis of Impediments to Fair Housing Choice mandated by HUD (Jan 2020)

"Minority households, especially black and Hispanic households, have the highest rate of disproportionate housing needs, which includes... more than 1 person per room, and households with a cost burden greater than 30 percent."

It seems counterintuitive for HUD to mandate an analysis of impediments to inform how and where policies need to be or could be strengthened and then not use this information to address the injustice and inequity built into the systems by which we all live.

We appreciate your time and consideration addressing these concerns. We look forward to working together towards a shift to a more equitable direction.

Sincerely,

Friends of Adeline

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Friends of Adeline

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Thursday April 14, 2022 BHA Board Meeting - Letter from Mari Mendonca

Dear Berkeley Housing Authority Board and Staff

Thank you for continuing the conversation to consider updating the current "Overhoused" rule. Currently the Housing Authority regulations stipulate that vouchers be issued to families with unit size determined by the number of adults and children per household. One bedroom is issued for the parent(s) and one bedroom is issued for every two children so that if one had a family of four with one adult and three kids they would receive a three bedroom voucher.

This is the scenario that I personally experienced when I received my voucher. I was given a three bedroom for myself and my three children -two boys and one girl. I was told that even though legally boys and girls are not supposed to be sharing a room HUD has created this rule to "stretch" funding and that there is nothing that can be done to address this issue. It was just the way that it is. Being used to having to live in a world where many circumstances are dictated by "The way it is" I went along with what I was told and found a three bedroom unit. At that time I had a highschool aged young man, a middle school aged young lady and an elementary school aged young boy.

These rules and circumstances put me at odds from the start. I ended up having to share a room with my youngest sleeping in bunk beds so that he and I could each have our own space while trying to honor the privacy needed by my older son and daughter going through puberty and other important life changes requiring privacy and personal space.

Fast forward to my oldest son who, in becoming a man, found himself at odds with his need for personal space as a man and the loss of dignity felt when you work full time and live in a housing market where one can not afford to rent anything more than a room. He felt his only option was to move out of the area completely.

Upon his leaving I was notified of now being "Overhoused". I would either have to pay way over 30% of my income on rent or move within 30 days.

As I faced this crisis I learned that in Ch 5 sec 2(c) of the HA regulations there is a clause which states:

"In determining family unit size for a particular family, BHA may grant an exception to its established subsidy standards if BHA determines that the exception is justified by age, gender, health, handicap or relationship of family members or other personal circumstances."

At that time I made a request to be considered for this exception based on age, gender and relationship of family members and other personal circumstances. I was told two things. One was that this is only considered at the time in which a family is given their initial voucher -which I was not told about and could have asked for due to the particular age, gender, relationship and personal circumstances of my family make up.

Additionally I was also told that although this exception is stated it is not normally recognized or honored, there is no precedence for its use.

At that time I also brought forward other concerns about this policy and potential detriments that it may place upon families. Displacement from their home of many years, proximity to resources, neighbors, schools etc., overburden of housing costs (if needing to remain), burden of moving and moving costs (if moving), stress in timeline for moving and moving to a smaller unit and becoming in reality, "Underhoused" to name a few of the issues.

I do also want to make sure to appreciate that BHA did listen to one very important concern around factors relating to the moving portion of this policy. BHA did make a change to allow for a participant to have one year to find a place comparable and an opportunity to extend an

additional 12 months if one is experiencing hardship with finding a unit.

It is a dire necessity for HUD and BHA to not necessarily change the regulation of two children for every bedroom (although that would be the more equitable ideal and what I would want to see in an “perfect” world) but at least to honor the exceptions that are stated and keep participants housed in their current homes when they still maintain at minimum one household member per bedroom. HUD’s own Analysis of Impediments to Fair Housing (mandated to be conducted every 3-5 years for funding) even identifies this issue in their January 2020 report as an ‘Impediment’ to families, especially families of color with low income.

Thank you for considering updating this policy to help stabilize the potential displacement of families as well as accommodate exceptions “...justified by age, gender, health, handicap or relationship of family members or other personal circumstances.”

Sincerely,

Mari Mendonca