

# IN JUST TIMES

a publication of the

**NATIONAL LAW CENTER  
ON HOMELESSNESS & POVERTY**



*Changing Laws,  
Changing Lives*

News and Commentary for  
June 2013

We use the power of the law to end homelessness by:

- Advocating for families and individuals that need access to housing
- Ensuring homeless children have access to school
- Protecting the human and civil rights and dignity of all

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Dear Friends,

"We don't work on homelessness." It's a comment I hear from policymakers, funders, and other organizations. But my feeling is that if you work on poverty, and if you work on justice, you work on homelessness.

Over the years, homelessness has come to be increasingly narrowly viewed, and sometimes defined. But if we take a step back, it's clear that homelessness is really nothing more or less than an extreme form of poverty. It's a step in a continuum of vulnerability.

People become homeless for reasons ranging from eviction, to job loss, to health crises, to domestic violence, to substance addiction. These are some of the immediate, precipitating events that can send a person or a family or a youth into the streets or shelters, or to someone's couch or floor. But underlying all of these is a lack of resources to weather these events.

The ongoing foreclosure and unemployment crises make these connections clearer than ever. Formerly middle class people are finding themselves seeking help from food banks and shelters



**Maria  
Foscarinis Executive  
Director**



where they were once donors or volunteers. More people than ever are on food stamps (now known as the SNAP program), one of the few remaining entitlement programs. From 2010 to 2011, the number of people living doubled up due to economic need rose by over 9%.

**Announcement: On June 1, 2013, we moved!**

**Our new address:**

2000 M Street,  
NW, #210  
Washington,  
DC 20036



Phone: (202) 638-2535

**Homeless Bills of Rights Spreading Across the Country**



While cities across the nation consider and pass laws against panhandling, sitting or lying in public places, and other measures which criminalize homelessness, lawmakers in Connecticut and Illinois are following Rhode Island's lead in passing legislation to protect homeless individuals from discrimination.

On June 5, Connecticut lawmakers passed the 'Homeless Person's Bill of Rights,' which protects homeless persons from discrimination in housing, employment, and

government services. Connecticut is the third state to pass such a bill in the state legislature, after Illinois, which passed a similar bill on May 28. Both bills are modeled on Rhode Island's [landmark legislation](#), which passed and became law in June 2012. The Law Center's civil rights director Heather Maria Johnson and policy director Jeremy Rosen played a leading role in drafting and promoting that law with the Rhode Island Coalition for the Homeless, the Rhode Island Homeless Advocacy Project, and the American Civil Liberties Union (ACLU) of Rhode Island.

"The bills are a counterpoint to a disturbing national trend," said executive director and founder of NLCHP Maria Foscarnis. "Our recent report, *Criminalizing Crisis*, found that, despite a lack of affordable housing and shelter space, cities across the country are criminalizing homelessness by passing laws that outlaw life-sustaining acts, such as eating and sleeping, in public spaces."

## Symposium on Right to Adequate Housing: Report Released

On April 26, 2013, a packed room of close to 150 attorneys, advocates, and federal, state, and local government officials gathered in New York City for a national symposium on **Bringing Economic & Social Rights Home: The Right to Adequate Housing in the U.S.**



## Meet Ed McNicholas, Chair of the Board of Directors

In January 2013, Ed McNicholas, partner at Sidney Austin LLP's Washington office, became chair of the Law Center's Board of Directors, after serving for several years as member and vice-chair. Through an email interview, Mr. McNicholas tells us about what first attracted him to the Law Center, what he finds most meaningful about our work, and how he envisions the organization's future.

*What first drew you to the Law Center?*

The **passion and professionalism** of Maria and the other attorneys at the Law Center was the initial attraction. The Law Center engages with **senior policy makers** and the **highest courts** in our country; it brings an incredible amount **talent** to that discussion, and it creates a **space for homeless people** to be part of the policy debate. **No other organization** is as **systematic and effective** in raising the voice of the homeless to the **highest levels of the government**, and doing it in a way that is **effective** in the Washington policy and appellate arena.

*Do you have an example of a part of the Law Center's work that is particularly meaningful for you?*

One of my early experiences with the Law Center involved working on a **Supreme Court amicus brief** in a case impacting the right of homeless people to move from state to state and to enjoy the full benefits afforded to any other citizen of that state. What most impressed me about working with the Law Center was that **the quality of appellate advocacy** was as good as the more lauded DC appellate specialists, and it was driven by a **great sense of purpose and care**.



Maria Foscarinis and Ed McNicholas at the Law Center's 2011 McKinney-Vento Awards

**Chicago City Council Approves Increased Protections for Renters Living in Foreclosed Buildings**





Property foreclosures remain a national epidemic. Tenants in foreclosed rental properties have federal rights under the 2009 Protecting Tenants at Foreclosure Act (PTFA), but too often these rights are violated, leaving millions of people vulnerable to housing instability and homelessness.

After hearing from hundreds of tenants and advocates in our nationwide survey of PTFA violations, the Law Center jumped into action. We published a report, *Eviction (Without) Notice*, describing violations of the PTFA across the country, and provided recommendations for improving the implementation of renters' rights. We also engaged strategic partners, such as the National Association of Realtors, to promote PTFA awareness and to facilitate voluntary compliance with the law. These efforts, combined with our ongoing work in Congress to strengthen the PTFA, have helped thousands of renters to avoid unfair evictions and stay housed.

While the PTFA sets the minimum standard, the Law Center strongly supports other jurisdictions which can and should pass additional protections. The City of Chicago became a shining example in this regard on June 5th, when a 45-5 vote of the City Council overwhelmingly approved the "Keep Chicago Renting Ordinance." The ordinance will require entities that take ownership of foreclosed rental buildings, such as banks, to act as landlords and offer tenants rent-controlled leases to stay in their homes or provide a relocation fee of \$10,600 to each displaced family. The measure also requires lenders and buyers of foreclosed rental buildings to offer renters in the building leases with annual rent increases of no more than two percent, and to provide notice to the building's tenants of the change in ownership, as well as information on the renters' rights.

**[Learn About Title V of the McKinney-Vento Act](#)**

The federal government is the largest single owner of real estate in the nation. Every year, dozens of landholding agencies determine that many of its properties-ranging from massive warehouses to military barracks and vacant land-are excess to their ongoing needs. Title V of the McKinney-Vento Homeless Assistance Act of 1987 grants homeless services providers an exclusive right of first refusal to apply to own or lease any surplus federal property at no charge. Non-profit groups, state agencies, and local governments can all apply for Title V property.



On June 27, Join the housing director at the National Law Center on Homelessness and Poverty, Tristia Bauman, as she provides an overview of the Title V property search and application process. [Third Way Center](#) (TWC) was granted surplus property in 2005. Co-Director of Operations, Heidi Coughlin, will join the call to speak on TWC's experiences applying for surplus property and its impact on the TWC's services.

## Changing Laws. Changing Lives.

The Law Center is the only national legal advocacy organization dedicated to ending and preventing homelessness in America. It fights in the halls of power for laws and policies that protect homeless people's rights and help them rise out of poverty.

[www.nlchp.org](http://www.nlchp.org)