

Fifty Years of Tenant-Based Rental Assistance

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# Symposium

*Fifty Years of Tenant-Based Rental Assistance*

*Guest Editors: Peggy Bailey and Brian J. McCabe*



*Guest Editors' Introduction*

# **Fifty Years of Tenant-Based Rental Assistance: Introducing a Symposium on the History and Future of the Housing Choice Voucher Program**

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With the passage of the Housing and Community Development Act in 1974, the U.S. Congress authorized the U.S. Department of Housing and Urban Development (HUD) to create a new paradigm for rental assistance. Up until that point, the federal government supported low-income renters through project-based public housing developments and subsidies for private developers to build affordable housing (Schwartz, 2014; Vale and Freemark, 2012). However, the radical departure from these historical models transformed the role of the federal government in the provision of housing. During the next 50 years, tenant-based rental assistance would emerge as the largest program administered by HUD. In fiscal year 2023, with Congress allocating more than \$30 billion for the Housing Choice Voucher (HCV) program, tenant-based rental assistance programs made up approximately 45 percent of HUD's total budget (HUD, 2024a).

Today, the HCV program assists more than 2.3 million low-income renter households in paying monthly housing costs. For those households able to secure a rental unit through the program, the benefits of a voucher are enormous (Fischer, 2019; Fischer, Rice, and Mazzara, 2019). Tenant-based rental assistance protects families from excessive rent burdens and reduces homelessness. In many cases, it reduces the risk of eviction. An expansive body of research, including longitudinal analyses from the Family Options Study, points to the success of vouchers in improving housing stability and ending homelessness compared with other interventions (Gubits et al., 2016; 2018). Other research shows that vouchers improve health, employment, and educational outcomes for assisted tenants and their children.

Despite these benefits to assisted households, the challenges of the voucher program remain formidable. Millions of income-eligible households cannot gain access to the program—or any other form of federal rental assistance—because funding is insufficient to reach *every* income-eligible household. The HCV program is subject to annual appropriations, which means that the program faces budget constraints imposed by Congress and the Administration. It competes for funding with other discretionary programs both inside and outside HUD's authority. This funding deficit causes many households to linger on long waiting lists before gaining access to the program or to be denied access to those waiting lists altogether (McCabe, 2023; Moore, 2016).

Although additional funding for vouchers would increase access to rental assistance, other avenues are available to improve the experiences of households already participating in the program. Additional administrative funding would empower public housing authorities (PHAs) to help households navigate the housing search and move-in process, thereby increasing success rates in the program (DeLuca, Katz, and Oppenheimer, 2023). Continued efforts to attract landlords into the program would ensure that voucher recipients have more housing options in a range of communities (Garboden et al., 2018). Within the rules HUD set, PHAs can increase payment standards, lengthen search windows, and connect tenants to community-based services to improve the experiences of assisted households. These changes would improve access for participants who have a difficult time accessing housing or maintaining units, including people exiting the criminal justice system and those with chronic conditions that require supportive health services or temporary home care. Coupled with these programmatic changes, continued efforts to increase the supply of affordable housing will ease the burdens of the rental market (Been, Ellen, and O'Regan, 2019). Although project-based vouchers can partially address these supply constraints, additional policy changes (and funding) at the federal, state, and local levels are needed to correct the supply shortages.

On the 50th anniversary of the creation of tenant-based rental assistance, this symposium brings together practitioners, researchers, and scholars to reflect on the HCV program. The collection of articles in this symposium celebrates what the program has achieved and identifies program improvements to expand the reach of rental assistance. These articles document the evolution of tenant-based rental assistance, identify core challenges, and point to new ideas for the program. By marking this important milestone, the contributing authors hope to provide readers with an opportunity to reflect on this defining moment in American housing policy and consider the road ahead.

## The History of Tenant-Based Rental Assistance

Prior to the passage of the Housing and Community Development Act in 1974, the federal government relied primarily on place-based programs to address the challenges of affordable housing (Schwartz, 2014). The Housing Act of 1937 authorized the construction of public housing developments through local PHAs. These agencies responded by building thousands of developments across the country. In the 1960s, the federal government began subsidizing the construction of affordable housing units through interest rate subsidy programs like the Section 221(d)3 program and the Section 236 program. The programs operated by lowering the costs of

borrowing for developers, enabling them to charge below-market rents to low- and moderate-income households. Until the early 1970s, these programs constituted the primary involvement of the federal government in housing low-income renters.

Although these approaches to affordable housing created housing units for low- and moderate-income households, they also produced new challenges. The construction of housing targeted exclusively at low-income Americans intensified the concentration of poverty in particular neighborhoods. Increasingly, as White households left the city for the suburbs in the post-war period, these developments contributed to patterns of racial segregation of American communities. By the 1970s, with many public housing developments in need of substantial physical renovations, it was increasingly clear that capital investments were woefully underfunded. The federal government needed a new approach to rental housing.

In 1970, Congress authorized the Experimental Housing Allowance Program (EHAP) to test an alternative model of assisting renters by providing housing allowance payments directly to tenants (Struyk and Bendick, 1981; HUD, n.d.a.). These housing allowances were designed to empower tenants to search for private rental units on the existing market rather than relying on government-owned or subsidized units. Policymakers were interested in a range of research questions, including whether markets could absorb the influx of renters, how tenants responded to the housing allowances, and whether PHAs had the capacity to administer these programs.

President Nixon imposed a moratorium on the growth of the project-based assistance programs in 1973. Soon thereafter, Congress decided to authorize a national program of tenant-based rental assistance, declining to await the results of the EHAP experiments. Although researchers would continue to evaluate the EHAP program throughout the decade, ultimately releasing a comprehensive report on its findings, Congress used the Housing and Community Development Act of 1974 to reimagine rental assistance. By modifying Section 8 of the U.S. Housing Act of 1937, the legislation laid the groundwork for what would become the HCV program.

For a time, HUD administered two separate tenant-based rental assistance programs—a certificate program established by the 1974 legislation and a voucher program Congress authorized in 1983. The programs varied slightly in their details. For example, vouchers allowed households to rent units above the Fair Market Rent (FMR) as long as those households paid the difference in costs, but certificates forbade this type of renting (HUD, 1995). In 1998, the Quality Housing and Work Responsibility Act merged certificates and vouchers to establish a single program: the HCV program. Today, the moniker is used interchangeably with Section 8, but the official title emphasizes *choice* in the search for housing. In contrast to project-based programs, in which housing subsidies are tied to the units, tenant-based programs tie the assistance to the households receiving the rental assistance. In principle, tenant-based programs empower assisted households to search for housing across communities and live in the neighborhood and housing units of their choice.

## **The Current Landscape of the Housing Choice Voucher Program**

Although the federal government funds the HCV program, local PHAs in cities, states, and counties are responsible for administering it. More than 2,100 local agencies administer vouchers through

the HCV program under the HUD-set rules and guidance. HUD calculates the FMRs PHAs use to set the payment standards in their jurisdictions. The agency sets broad eligibility criteria to guide program participation, mandates reporting requirements to PHAs, and monitors program utilization. HUD pays administrative fees to PHAs to cover the costs of administering the program. When it comes to the day-to-day operations of the HCV program, PHAs have broad discretionary authority to tailor programs to meet the needs of their communities. They can prioritize certain types of applicants in the selection process, set payment standards to encourage mobility in their communities, and offer additional services (for example, navigation services) to assist clients in their housing searches.

Data reported from PHAs to HUD provide a snapshot of the clients assisted through the program. The typical household renting with a voucher reports an income of \$16,610 annually. Seventy-seven percent of households earn less than 30 percent of the median income in their communities, classifying them as extremely low-income households. Overall, 48 percent of households in the program identify as Black, and another 18 percent identify as Hispanic. Female-headed households make up 77 percent of voucher recipients, including about 35 percent of whom are female-headed households with children (HUD, 2024b). On average, households renting with vouchers spend more than 2 years (27 months) on the waiting list before being selected for vouchers. Reflecting the growing rents in housing markets across the country, the average per unit cost for housing agencies in 2023 was about \$944, representing an increase of about 46 percent from \$647 only 8 years earlier (HUD, n.d.b.).

Because the voucher program is *not* an entitlement program, Congress must allocate funding through the budget process to pay for rental assistance. Because the amount required to keep voucher holders housed has grown with increasing rental costs nationwide, Congress has increased funding to cover these rising costs. In 2023, HUD calculated the Renewal Funding Inflation Factor for vouchers at 9.6 percent, the highest level in recent years, meaning that simply maintaining the existing stock of vouchers had grown substantially more expensive. For fiscal year 2024, President Biden proposed an allocation of \$32.7 billion to maintain and expand the HCV program, including the expansion of rental assistance to an additional 50,000 households (HUD, 2024b). This proposed funding is a \$2.4 billion increase over the 2023 enacted level. The President's budget proposed an additional \$22 billion in mandatory funding over 10 years to guarantee rental assistance for youth aging out of foster care and, after a phase-in period, extremely low-income veterans.

Annual appropriations typically increase enough to keep up with inflationary rents, and they occasionally provide small increases in the number of vouchers (typically dedicated to specific populations, like veterans or people with disabilities). However, the federal government has consistently failed to fund enough vouchers to serve every income-eligible household with dire housing needs. According to HUD's *Worst Case Housing Needs* report, 8.58 million households have worst-case housing needs (Alvarez and Steffen, 2023). Millions more qualify for rental assistance because their incomes are below the community-level standards for rental assistance. Nationwide, only about one in four income-eligible households receive any type of federal assistance to pay their monthly housing costs (Kingsley, 2017). By contrast, the largest public subsidy for American homeowners, the mortgage interest deduction, is available to all qualifying homeowners. Closing this gap between housing needs and available assistance will require a major financial investment.

Congress will need to move voucher funding from the annual discretionary process to a mandatory program that is funded based on need and not capped, similar to how Medicaid, Medicare, and the Supplemental Nutrition Assistance Program are funded.

## **Innovations and Policy Reforms**

Because the challenges of renting with a voucher have increased, HUD has continued to innovate and iterate to improve the program. Some of these innovations are being tested through a select group of Moving to Work (MTW) agencies, which have administrative flexibilities to reform key aspects of the program. For example, one group of MTW agencies is testing a set of stepped and tiered rent policies to reimagine the way that tenant contributions are calculated. Other innovations are underway through large-scale demonstrations, such as the Community Choice Demonstration. Across the board, HUD is working to streamline rental assistance, reduce administrative burdens, fulfill the promise of neighborhood choice when using assistance, and deepen the involvement of landlords in the program. Taken together, these innovations hold the promise of improving the program's effectiveness and increasing its capacity to assist additional households.

Other program reforms are also intended to address challenges in the voucher program. Recognizing the way that restrictive payment standards limited opportunities for households searching with vouchers, HUD issued a rule in 2016 mandating that selected PHAs use Small Area Fair Market Rents (SAFMRs) rather than metropolitan-wide FMRs in setting payment standards in their communities. By setting the FMRs at the ZIP Code level rather than at the level of the entire metropolitan area, SAFMRs more accurately capture neighborhood-level variation in the rental market. ZIP Code-level payment standards are a tool to help households renting with vouchers find units in *every* neighborhood rather than only the poorest neighborhoods in the city. The policy helps expand choice for assisted tenants, particularly in low-poverty neighborhoods. This past year, HUD expanded the set of PHAs required to use SAFMRs in setting payment standards. HUD now mandates the use of SAFMRs in 65 metropolitan areas, and PHAs outside these communities regularly use SAFMRs as exception payment standards to create mobility opportunities to high-rent neighborhoods.

Other interventions expand choice and opportunity in the program by providing assisted tenants with additional resources to navigate housing markets, identify high-opportunity neighborhoods, and interact with landlords. In Seattle and King County, the Creating Moves to Opportunity initiative shows the value of housing navigators and counseling to encourage mobility from high-poverty neighborhoods. HUD's Community Choice Demonstration is building additional evidence about the way that housing mobility services can assist families with children in gaining access to high-opportunity neighborhoods. In 2022, HUD issued an important notice clarifying that housing agencies can use their regular voucher administrative funding for a wide range of uses, including security deposits, application fees, and owner incentives. This notice ensures that PHAs have flexibility to provide assistance to households in successfully using vouchers.

Landlords in the HCV program regularly express concern about the inspection process required before a HUD-assisted tenant moves into a rental unit. Under the previous Housing Quality Standards (HQS) system, landlords noted that the inspection process was cumbersome and



tedious. When their units sat vacant awaiting inspections, landlords forewent valuable monthly rent payments. In response to these longstanding concerns about the inspection process across HUD-assisted programs, the agency recently rolled out the NSPIRE standards to replace the HQS inspections. These standards focus on building deficiencies that threaten the health and safety of renters, ultimately lessening the burden on landlords participating in the program. In addition, the 2016 Housing Opportunity Through Modernization Act made a series of changes designed to update and strengthen the voucher program and other federal rental assistance, including streamlining rent and income determinations, making it easier for PHAs to use project-based vouchers and creating flexibility in the voucher inspection rules while strengthening protections for families in cases when owners violate quality standards.

Finally, HUD is learning from the Emergency Housing Voucher (EHV) program, which the 2021 American Rescue Plan Act established to aid survivors of violence and people experiencing or at risk of homelessness. Housing agencies administering EHV were provided with special “service fees” to fund housing support services for participants. To ensure that the program could effectively assist people with the greatest needs, HUD required participating agencies to use longer search times and ease certain barriers to admission. These policies contributed to the successful implementation of the EHV program, which assisted more than 62,000 households by the end of 2023.

## Looking Forward, Looking Backward

In recognition of the 50th anniversary of tenant-based rental assistance, this symposium brings together scholars, practitioners, and researchers to take stock of this historic moment. The goals of the symposium are two-fold. On the one hand, the articles reflect on the program’s history and evolution by considering ways that tenant-based rental assistance has changed during the past 5 decades. The contributing authors examine the consequences of those changes for tenants, landlords, and PHAs. On the other hand, the articles look to the program’s future by addressing important policy issues, including landlord participation, neighborhood access, and portability between PHAs.

Although the collection of articles documents many of the program’s core issues, it is certainly not exhaustive of the topics that could contribute to this volume. Even though some of the articles touch on administrative burden, the MTW cohort expansion, and payment calculation reforms for tenants, no single article addresses these issues exclusively. The articles also do not offer a comparative international perspective. The United Kingdom and several Western European countries, including the Netherlands, administer demand-side rental assistance programs that operate as entitlement programs (Priemus, Kemp, and Varady, 2005; Schuetz and Crump, 2021). Cross-national comparative research provides exciting opportunities to learn lessons applicable to the American program.

The symposium opens with an article by Sard tracing the program’s funding history. Sard looks at the ways that Congress has funded renewal funds, administrative fees, and newly authorized vouchers. Because funding decisions shape the way PHAs administer their programs, Sard’s richly descriptive history creates an opportunity for a steadier approach to future funding decisions. In the next article, Greenlee and McClure draw on administrative records to look at changes in

program participation during the past 2 decades. Many of their descriptive findings are striking. The program has served about 7 million households since 2002. The share of elderly households in the program has climbed as the share of nonelderly, able-bodied households has declined. Next, Armstrong, Din, Shcheglovitova, and Winegardner update two previous reports on the locational outcomes of assisted tenants to show that more HCV households are living in low-poverty neighborhoods. Even so, they report many HCV households live in communities that are densely populated by other voucher holders and find that HCV concentration has increased at the metropolitan level.

The next article by Tegeler and Reece walks readers through the litigious history of the voucher program in the U.S. court system. Beginning with the *Gautreaux* case in the 1960s and continuing through the Inclusive Communities Project case, which spurred the development of SAFMRs, the authors demonstrate how legal challenges both highlighted core issues in the voucher program and led to meaningful policy changes. In the next article, Garboden, Rosen, and Fleming-Klink describe the changing role of landlords. After a brief history of landlord involvement, the authors offer examples to show how landlords affect program use and mobility for assisted tenants. They remind readers of the challenges of landlord nonparticipation and suggest strategies for overcoming these obstacles. Building from recent work in the Creating Moves to Opportunity project and the Baltimore Housing Mobility Program, DeLuca and Groccia consider the promise of housing navigators and services to promote mobility in the voucher program. Movement to high-opportunity, low-poverty neighborhoods has been an elusive goal of the HCV program, but their analysis underscores the power of supportive staff and resources to encourage mobility.

Although many households want to move to high-opportunity, low-poverty neighborhoods, Galvez and Knudsen remind readers that source of income discrimination limits these opportunities. Reporting the findings of a recent convening on the topic, they chart new avenues for monitoring and enforcing legislation prohibiting source of income discrimination. Expanding on the topic of mobility, Miller provides a data-driven analysis of portability in the HCV program by following a single cohort of voucher users. Miller notes that portability, which empowers assisted families to move outside their jurisdictions without losing their vouchers, often creates moves to neighborhoods of opportunity, thereby suggesting an underused tool within the program to expand neighborhood choice.

The next set of articles considers subpopulations and programs within the HCV program. Sloane, Stewart, and Martone highlight the role of the voucher program in serving special populations, including persons with disabilities. Noting that special purpose vouchers comprise a substantial portion of the voucher program, the authors point to the program's evolution to serve special populations and raise important questions about the needs of these subgroups. In the following article, Fiore, Khadduri, and Dastrup present lessons from Los Angeles to understand the opportunities for the HCV program to better serve households experiencing homelessness. Perhaps more than anywhere else in the country, the PHAs in Los Angeles have devoted voucher resources to solving the challenges of homelessness. Given the extraordinary challenges of housing people who are unhoused throughout the country, these lessons from Los Angeles are likely to resonate with readers across the country. Reaching across affordable housing programs, Emmanuel and

Aurand direct readers' attention to the relationship between vouchers and the Low-Income Housing Tax Credit (LIHTC) program. Despite persistent data challenges, which the authors highlight in their article, LIHTC is an important companion to the HCV program. Their analysis highlights opportunities to integrate these affordable housing tools better. Teles and Oneto point to the role of project-based vouchers in creating housing stability. In the past 2 decades, the importance of project-based vouchers expanded significantly, especially as project-based vouchers comprise a larger portfolio of Rental Assistance Demonstration conversions. With the expansion of project-based vouchers within the HCV program, the authors ask about the policy design and discuss concerns about the reconcentration of poverty.

The final set of articles looks to the future of the HCV program. Reflecting advocates' commitment to expand access to rental assistance to create an entitlement program—or at least a program that more closely reflects the demand for it—Fischer begins by asking whether housing markets can absorb a voucher program expansion. Historically, the question of market absorption was central to EHAP. Today, Fischer argues that available evidence suggests that markets could absorb additional vouchers but that broader rental market interventions that minimize effects on market rents should accompany any expansion. Turning to the U.S. Department of the Treasury's Emergency Rental Assistance (ERA) program, Gallagher et al. share lessons from this important policy during the COVID-19 pandemic. From efforts to increase landlord participation to those that reduce burdens on assisted tenants, ERA programs offer insight for streamlining and improving the voucher program.

In the final two articles, the authors invite readers to consider direct rental assistance as an alternative to the existing voucher program. After noting the origins of this idea in EHAP, Joice, Ellen, and O'Regan discuss some fundamental design choices when considering direct rental assistance programs. Building from HUD's expressed interest in learning from local pilot programs about the idea, the article presents options for subsidy calculations, research design, and inspection criteria that local agencies would need to address. Finally, Reina et al. report on the development of a program in Philadelphia designed to test an alternative model of rental assistance. Philadelphia's Housing Plus program is currently running a randomized control trial from the city's HCV waiting list to understand the effect of cash assistance on tenants awaiting rental assistance. The program in Philadelphia is the first rigorous pilot to test a direct cash assistance model for housing, and Reina et al. offer practitioners some core lessons about program implementation and design.

With this collection of articles, the contributing authors offer readers a launching pad to reflect on this historical moment. Fifty years ago, the development of tenant-based rental assistance programs transformed the way the federal government provides rental assistance to the lowest-income Americans. As the nation celebrates the accomplishments on this 50th anniversary and acknowledges some of the contemporary challenges, the authors hope this symposium contributes to strengthening the HCV program and improving federal policies to provide a decent, affordable home to every American.

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