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October 6, 2020

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To the Honorable Members of the TDHCA Governing Board
C/O Texas Department of Housing and Community Affairs
Attn: Matthew Griego, QAP Public Comment
P.O. Box 13941
Austin, Texas 78711-3941

Re: Commenting and opposing on the proposed inclusion of criminal screening requirements as described on page 15 of the 2021 QAP Staff Draft Supportive Housing definition section.

Dear Vice Chair Bingham and Members of the TDHCA Governing Board:

On behalf of Texas Homeless Network, I am registering my opposition regarding the proposed changes to the definition of "Supportive Housing" in Chapter 11 of the 2021 Staff Draft of the Texas Qualified Allocation Plan ("Draft QAP") for the awarding and allocation by the Texas Department of Housing and Affairs ("TDHCA") of Competitive and non-Competitive Housing Tax Credits.

The Supportive Housing definition in the Draft QAP establishes additional barriers limiting opportunity for people experiencing homelessness to escape that condition and further ties the hands of homeless response systems that seek to help individuals and households out of homelessness. On any given night in Texas, there are over 27,000 people experiencing homelessness. That number may rise to more than 40,000 at any point in time if there is no support for those renters at the precipice of a financial cliff as the national eviction moratorium protections near an end. So, not only is this proposed change that needlessly includes criminal screening requirements to the definition of "Supportive Housing" counterproductive to the goals of Texas's homeless response systems in normal times, during a pandemic, it's imprudent and dangerous. Although THN is fully opposed to the proposed changes to the QAP, the final version of QAP should at the very least eliminate non-violent felonies and class A misdemeanors from disqualifying criminal history screening policies. If supported, this proposal will ultimately be costly to taxpayers but, more importantly, to the well-being of Texas' most vulnerable.

Texas's 11 homeless response systems work tirelessly day after day to reduce homelessness and improve their communities' overall health through these actions. They know that assisting their fellow Texans to escape homelessness is the compassionate thing to do and the most cost-efficient. People experiencing homelessness between ages 25-44 have an all-cause mortality rate nine times that of their housed counterparts, and the chronically homeless, a targeted sub-population for low barrier supportive housing, can cost taxpayers \$35,000 a year, mostly in emergency room costs. However, they and Texans experiencing homelessness face barriers daily in their struggle to climb out and into safe and affordable housing.

Every segment of the population experiencing homelessness encounters significant obstacles due to various factors, some of which are partially remedied by providing low barrier housing options like those afforded through the low-income housing tax credit program. This funding allows property owners to operate programs that provide vital housing that can be deeply affordable and supportive. While unable to increase supportive services for people with acute healthcare needs, including mental illness and substance abuse treatment, these housing options offer the best health care of all, housing. However, the largest barriers are faced by those suffering from chronic homelessness.

There are nearly 4,000 Chronically Homeless on Texas's streets right now, those who have been on the street for years with acute health care needs. These are the people in most need of opportunities to exit homelessness, but unfortunately, these are the people most denied opportunities. These are the individuals that would be most affected by this proposed addition to the Supportive Housing Definition. These, disproportionately, are people with criminal histories, albeit mostly minor nonviolent crimes, and people with untreated illnesses, including serious mental illness and substance use disorders. These are disproportionately people of color, especially Black and Latino Texans, so it's important to note that the convergence of systemic racism with these other factors adds to the barriers faced by this sub-population. These are the people unable to find housing, even when using subsidies, because of these criminal &/or medical histories.

Supportive housing created through tax credits may not correct all these inequities, but it is one option that offers opportunities for the chronically homeless and homeless response systems. THN favors a housing first approach that does not limit access to housing based on past interaction with criminal justice, disability, or other factors. A significant number of people in this condition have criminal histories of nonviolent offenses but offenses that nonetheless would disallow their participation in tax credit projects if these proposed changes were to go into effect. These include misdemeanor offenses like DWI. A type of crime that someone may have committed previously in their life as their household began to unravel before they ended up homeless. These offenses also include burglary of a car, a crime that should be prosecuted, but a crime that most of us who are comfortably housed could conceivably understand someone committing if they were on the street and desperate.

The people that commit these crimes should be offered a second chance just as their housed neighbors. These types of supportive housing programs are the most important way for homeless crisis response systems to offer these, our most vulnerable Texans in need of a second chance just that, a second chance. Projects like Housing First Oak Springs that Austin/Travis County Integral Care operates as an example of supportive housing that offers second chances that allow people to excel and escape homelessness. This is the type of project that would not exist if these proposed additions were in place at the time of its funding. Moreover, because of LURA these proposed additions would disallow projects like these to lower barriers and offer those second chances that so many need. Without low-barrier supportive housing homeless response systems don't have the tools to move people suffering from chronic homelessness off the street. And, ultimately, this will harm our Texas communities, and cost us a great deal more than it would if we invested in low barrier deeply affordable and supportive housing that provides the opportunities for those experiencing homelessness and those working to end homelessness to make homelessness a condition that is rare, brief, and non-recurring.

Thank you for the opportunity to comment on these proposed changes. Again, I strongly urge you to reject these changes to the Draft QAP.

Sincerely,

A handwritten signature in black ink that reads "Eric Samuels". The signature is written in a cursive style with a prominent initial "E".

Eric Samuels
President/CEO
Texas Homeless Network