

Georgia ACT

PEOPLE • PLACE • POLICY

Georgia Advancing Communities Together, Inc.

2024 Legislative Recap & Looking Ahead to 2025

Georgia ACT Annual Fall Housing Conference

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2024 Legislative Recap & 2025 Looking Ahead

- Important Year for Housing and Homelessness
- Two Year Session Concluded. Any Legislations not Passed Would Have to be Re-Introduced in 2025.
- Election Season Impacts
- *What Happened, What's Ahead, and How You Can Make a Difference!*

House Bill 404 – Safe at Home Act **PASSED**

Tenant Protections: Supporting Safe, Decent, Affordable and Stable Housing



HB 404 requires that all rental housing be “fit for human habitation,” caps security deposits at two months’ rent, and provides a 3-business day right to cure the nonpayment of rent or vacate the premises after receiving written notice before the landlord can file for an eviction.



Passed. Will give courts authority to require decent rental housing conditions, reduce high security deposits, and reduce eviction filings by requiring a written notice and right to cure before landlord can file for eviction.



Cut to State Low Income Housing Tax Credit **DEFEATED**

These are the **ONLY** state dollars going toward the development and preservation of affordable housing in Georgia.

✓ **HB 1182 would have cut the only state investment in affordable housing for low-income Georgians.**

🔍 **HB 1182 would reduce the state low-income housing tax credit from 100% match to federal program to a 50% or 80% match with some exceptions restored to 100% - seniors, rural, veterans, first responders, near transit, preservation, etc.**

🏠 **Georgia is in a housing crisis. Homelessness increased 13% last year and 79% since 2017. Homeless among school children is up. Seniors are the fastest growing cohort of homeless. Rent and housing prices are soaring. Georgia should increase, not decrease its investment in affordable housing.**

📊 **UGA Report found \$5.79 of economic activity for every \$1 invested in SLIHTC. Loss of SLIHTC funding for housing would reduce production of affordable units. Georgia program recognized as a national model.**

👥 **SLIHTC supported by Georgia Dept of Community Affairs that administers it, for profit and non-profit developers, syndicators, housing advocates, etc. as the key tool to build more housing for low-income households.**

Georgia Housing Voucher Program- **NO NEW FUNDS**



Georgia agreed to provide supportive housing to a target population of 9,000 homeless people with severe mental illness cycling through the criminal justice system, state hospitals and emergency rooms as part of a 2010 Settlement with the US Dept of Justice.



Georgia is now serving only 2,300. Quality program providing housing vouchers for supportive housing, case management and wrap around services. Leaving people on the street means we are “housing” them in the most expensive, least effective way possible!



Housing 1,500+ more people this year. Cost of rent up over 20%. Need for increased funding of \$20+ Million for the Georgia Housing Voucher Program went unmet.

Additional Housing Legislation in 2024

- **Tenant Rights:**

- End ban on local ordinances providing for rent control (SB 125) - **Did Not Pass**
- Authorizes landlords to hire off duty law enforcement to perform set outs pursuant to an order of eviction (HB 1203)- **Passed**

- **Zoning:**

- Repeals statutory six-month delay and burdensome notice for drug rehab facilities and halfway houses (HB 1073) – **Passed**
- CHOICE ACT – created options for cities and counties to adopt to speed construction and increase density for housing paired with financial preferences for state and federal grant funds (HB 1266) – **Did Not Pass**

Additional Housing Legislation in 2024

- **Homelessness:**

- Create State Interagency Council on Homelessness (SB 498) – **Did Not Pass**
- Provide tax refund or refund of expenses associated with city or county failure to consistently enforce criminal laws against homelessness. (HB 1359)- **Did Not Pass**
- Senate Study Committee on Veterans' Mental Health and Housing (SR 527) – **Passed**
- Create Stable Housing Accountability Program – 18-month transitional housing program for homeless people conditioned on sobriety, drug and alcohol testing, job training, employment, mental health and substance use treatment, etc. \$1 Million Appropriated to fund it in FY 2025 – **Passed**



2025 Policy Priorities

2025 Brings New Faces, New Landscape to the Capitol

- The start of a new two-year session.
- All legislators will have been elected/re-elected.
 - Anticipate Republican majorities will remain in House and Senate with perhaps narrowing margins and without 2/3 votes needed for a constitutional amendment.
 - Some changes in Committee Chairs and leadership, especially in Minority party.
- Influence of 2026 elections for statewide offices, especially Governor, will continue to grow.
- Outcomes of Presidential election and control of US House and Senate will have significant impact on key priorities.
- Leadership's policy priorities still largely unknown at this point.



Follow the Money

- \$472 M in unobligated ARPA State and Local Fiscal Recovery funds.
- \$11.6+ Billion Unobligated Surplus Funds.
- Governor has directed agencies to propose flat budgets for FY 25 Amended and FY 26 Budgets.

Allocate Substantial Surplus Funds to the State Housing Trust Fund for the Homeless

Why Invest Surplus \$\$ in the HTF?

- DCA retains administrative authority.
- Surplus funds are for one-time, not continuing obligations.
- HTF has the Constitutional authority to hold funds without lapsing.
- \$11.6+ Billion historic surplus.
- Our housing crisis demands investment to increase housing.

How can the HTF use the money?

HTF's statutory purpose is to fund "residential housing projects designed to enhance residential housing opportunities for low-income persons:

- Financing in whole or in part the acquisition, rehabilitation, improvement or construction of residential rental housing, and
- Interest rate or down payment assistance programs designed to enhance home ownership opportunities."

Funding to Build and Preserve Affordable Housing: SLIHTC

Protect the State Low Income Housing Tax Credit

- The State Housing Tax Credit is the only source of state funding Georgia invests in the creation and preservation of affordable housing. Georgia has fewer affordable and available rental units for persons at or below 50% AMI than any of our neighboring states, except Florida.
- Efforts to reduce the state's dollar for dollar match to the federal LIHTC were defeated in 2024. (HB 1182)
 - House proposed cut for 100% to 80% match with five uplifts and Senate proposed 50% cut with uplifts. Construction in midlevel cities and suburbs most adversely affected.
 - UGA: Every \$1 in SLIHTC creates \$5.79 economic activity.
 - Public private partnership created or preserved 35,509 housing units statewide in the last five years 2019-2023.
 - Nationally recognized for excellence.
 - Efficient program for LIHTC/SLIHTC rigorously administered by DCA.

Address Tax Issues to Support Affordability

- Support Constitutional amendment to exempt property taxes on non-LIHTC rental properties owned by nonprofit organizations rented to qualified households at or below 80% AMI at rents up to 30% of household income.
 - Some counties recognize this option under current law, e.g., Troup County, Chatham County. Fulton County does not.
 - Neighboring states have such exemptions, including FL, NC, and SC.
 - Recent amendment affords pre-development property tax exemption for nonprofits building or repairing homes at 0% interest.
- Support Constitutional amendment to create a new category of property tax valuation for LIHTC properties to address challenges of some appraisers who refuse to consider below affordability limits on rent.
- Support exemption on sales taxes on personal property used in construction, renovation, or rehabilitation of affordable housing by nonprofit organizations. (HB 1291 in 2024)

Oppose Criminalization of Homelessness and Support Access to Housing to Prevent and Remedy Homelessness

Oppose Criminalizing Homelessness

- Danger of fallout from SCOTUS *Grants Pass* decision: *No constitutional protection against arrests for homeless street sleeping/camping.*
 - Cicero Action seeking criminal sanctions to force people into parking lot encampments. 99+ Georgia jurisdictions with laws on the books.
- **Support best practices for criminal diversion, jail in-reach, re-entry supports, and increase in supportive housing, especially single site, with wraparound services.**
- **Create State Interagency Council on Homelessness**

Housing and Foster Care

Keep families together with funding to address housing inadequacy.

20% of children removed to foster care each year is due to housing inadequacy. Georgia not using available federal Family Unification (FUP) Vouchers and not investing state funds to address housing inadequacy.

Address high rate of youth leaving foster care becoming homeless with federal Fostering Youth Independence (FYI) vouchers.

Increase Needed Funding to House the Homeless

Need for funding

- Homelessness increased in Georgia by 13% last year with sharpest increase among the unsheltered (now over 50%). 79% increase in homelessness since 2017.
- Failing to house is more expensive than housing – police, courts, jail, prison, ERs, hospitals, etc.

Georgia is Not Meeting its Legal Obligations

Georgia Housing Voucher Program provides housing vouchers and wraparound services under the 2010 *Olmstead* Settlement Agreement with the US Department of Justice.

- SA obligates Georgia to house people in target population of homeless people with severe and persistent mental illness cycling through the criminal justice system, hospitals and ERs.
- Now serving 2,300 people. Costs and demand increased dramatically in recent years creating need for more - \$8-\$16 Million increase needed to meet obligations under Settlement.
- No increase appropriated in 2024. Restoration of diversion of applicants to seek federal Housing Choice Voucher – a strategy abandoned two years ago as inconsistent with serving people under the Agreement.

Georgia Renters Struggle with Affordability and Evictions

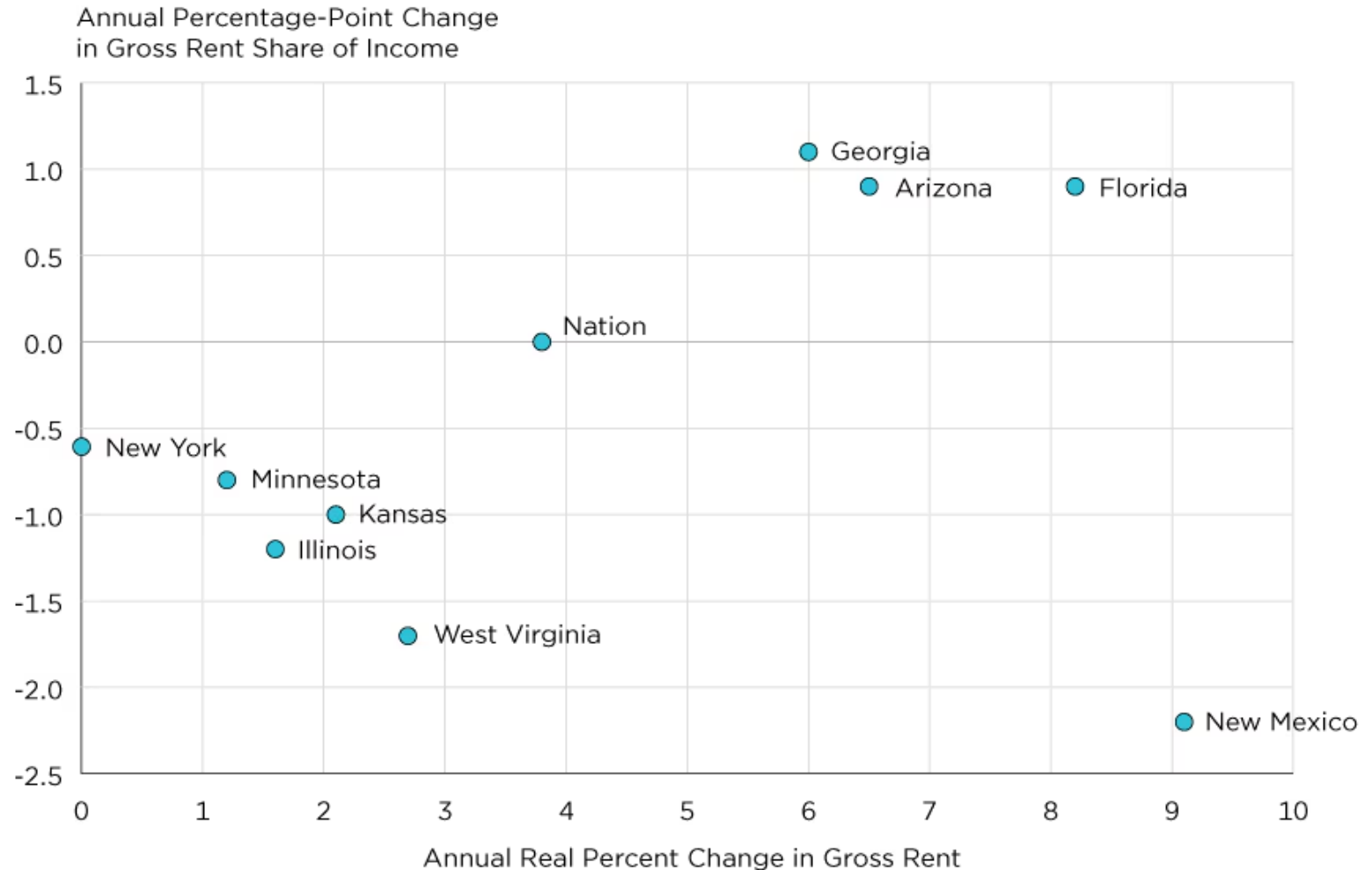
- Rents are up nationwide by over 30% since 2019. While massive rent increases in 2021-22 have abated, they have not returned to pre-pandemic levels. Georgia rent increases are among the highest.
- Georgia continues to have among highest eviction rates and eviction filing rates of any state in the country.
- Eviction rates have returned or exceeded pre-pandemic levels.
- The face of eviction in Georgia is Black women with children.
- Black women are 2-3x more likely to be evicted after controlling for socio-economic factors than white women.
- Children under the age of 5 are at the highest risk of eviction nationwide. Children of all ages most at risk for all age groups.

Evictions closely tied to rising rent

- Census Bureau reports that “three states experienced a significant increase in the share of renters’ incomes going to rent in 2023: Arizona, Florida and Georgia. Rents increased 6.5% in Arizona, 8.2% in Florida, and 6.0% in Georgia.”
- Zillow reports rent has been growing nearly three times faster than wages in metro Atlanta since before the pandemic. From 2019 to 2023, rent went up 35.6%, but wages only went up 12.2%.
- In 2023, 53.7% of Georgia renters were cost burdened (paying over 30% of household income in rent), compared to 48.4% in 2019 – one of the biggest increases in the US.

Figure 1.

Change in Gross Rent and Gross Rent Share of Income: 2022–2023



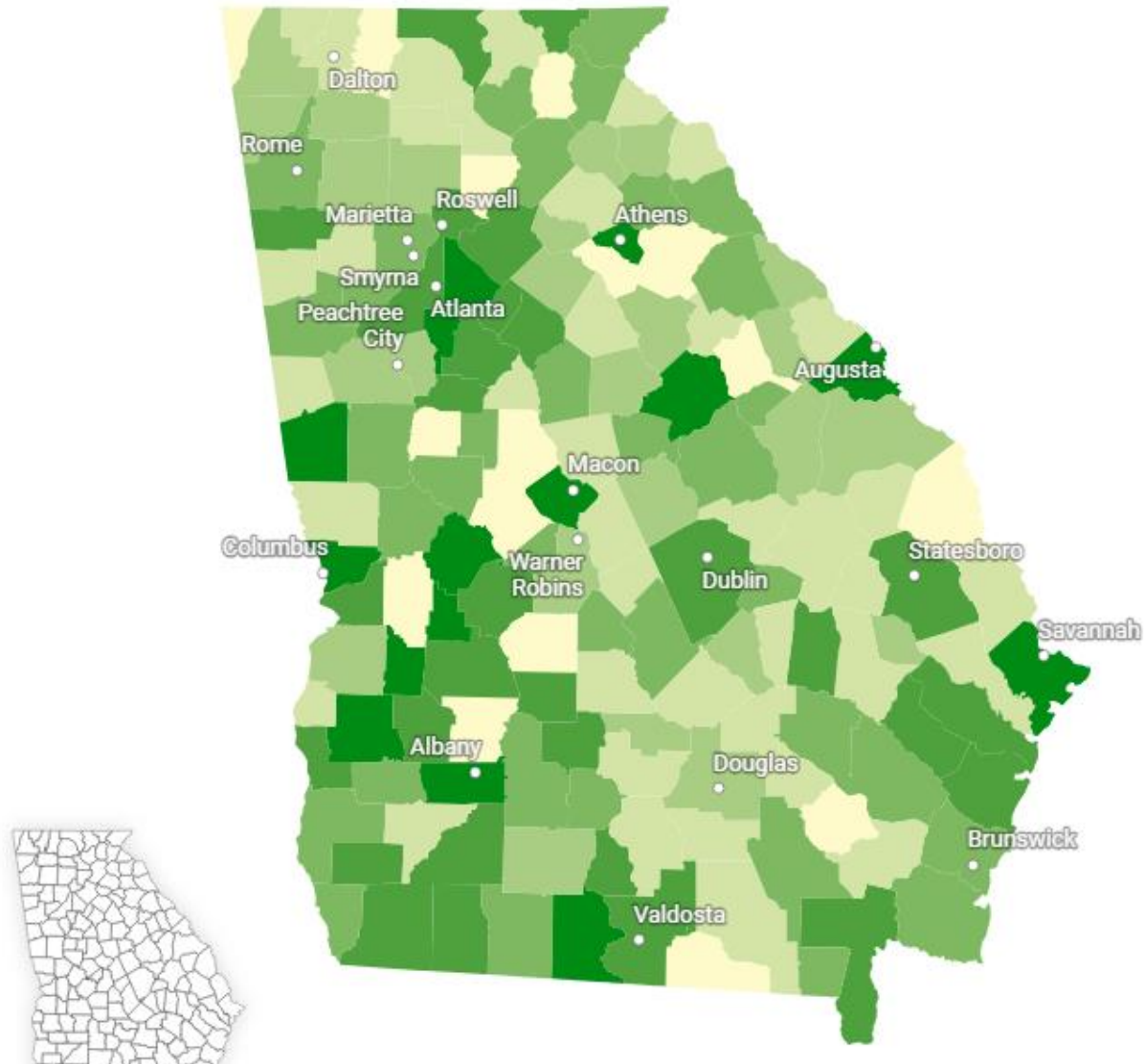
Note: Growth is inflation adjusted. States shown are only those with a significant change in the gross rent percentage of income. The annual percent change in gross rent was not significant in Minnesota, New York or West Virginia.

Source: American Community Survey: 2022–2023.

Georgians are Housing Cost Burdened Across the State

Highest concentrations of housing burdened households

Estimated percentage of households spending 30% of income or more on housing costs in 2022



Fund Emergency Rental Assistance/Eviction Prevention Program

ARPA Funded Pilot Eviction Prevention Program

- Georgia received \$1.3 Billion in federal covid Emergency Rental Assistance funds. Final \$55 Million used to create two-year pilot Eviction Prevention Initiative.
- Contracts with Atlanta Legal Aid Society and Georgia Legal Services Program:
 - Navigators hired to qualify eligibility for rental assistance.
 - Legal representation in eviction.
 - \$2 Million/month in rental assistance.

DCA Recognizes the Need for a Permanent State Funded Eviction Prevention Initiative

- State funding is needed to continue the pilot program and afford access to emergency rental assistance and legal representation to keep families stably housed.
- State funding can also attract federal resources and philanthropy.

Seek Transparency and Accountability to Enforce Renters' Safety and Habitability

- Georgia is targeted by out of state hedge funds and Real Estate Investment Trusts to purchase single and multi-family homes and convert them to rentals in part because of the absence of basic tenant protections. They seek fast profit and turnover and are shown to be more likely to raise rents, initiate evictions, engage in serial eviction filings, and fail to be accountable to tenants for security and repair needs than other landlords.
- HB 404 provides a right for residential rental property to be “fit for human habitation.”
- Shell corporations and complicated ownership structures make it difficult or impossible for tenants, code enforcement, or local governments to identify and hold landlords accountable.
- Georgia law currently prohibits local governments from adopting rental registries. Registries can identify who is holding rental property, where they are, who is responsible for the premises, how they can be contacted, etc. Rental registries are a key to holding landlords accountable and provide transparency about ownership.
- **Repeal the pre-emption of rental registries in OCGA §36-74-30.**

2024: Important Election Year in Georgia You Can Make a Difference!

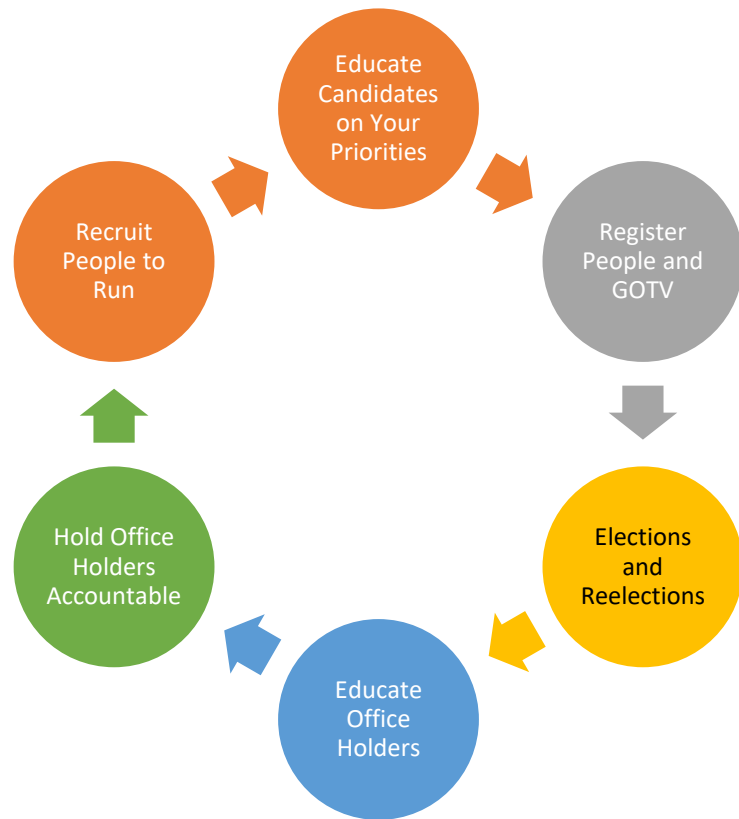
FEDERAL RACES

- **President of the United States**
- **All Members of Congress**

STATE RACES

- **All Members of the State House of Representatives**
- **All Members of the State Senate**

Voting and Elections are Important



- The best way to have legislators vote with you on your priority issues is to elect/re-elect people who share your values to begin with.
- Engagement to help return elections to an issue-based process that reflects the wishes of the majority of citizens and reduces the power of money in the process.

Permissible Election Activities for a 501c3 Non-Profit organization

- **Register people to vote**
- **Help Get Out the Vote**
- **Elevate Housing and Homelessness Issues: Educate Voters**
 - Raise Key Priorities for 2025 and Beyond
 - Learn the Candidates' Positions on those Issues
 - How did they vote in the past on these issues?
 - What do they say about the issues on their website?
 - What do they say about the issues in responding to election events and surveys?
- **Host a Candidate Forum on Housing: All Candidates Invited**
- **Attend Candidate Forums/Town Halls to Raise Housing Issues**

Prohibited 501c3 Election Activity

- No candidate endorsements.
- No endorsement of a political party.
- No giving of *anything of value* to a candidate – money, time, space, labor, mailings, etc.
- No sharing of databases or access with one candidate and not another or sharing on unequal terms.

Bottom Line:

Anything that favors or supports a candidate or party is barred.

Nonpartisan accurate voter education and support for voting in general is permissible.

The Presidential Election is Most Important



AJC Oct. 8: Contrast the Candidates' Positions on Housing: Know the Facts

Vice President Harris

- Build 3 Million new homes in four years
- Offer \$25,000 down payment assistance to first time homebuyers
- Take on corporate landlords and investors
- Cut red tape by streamlining permitting processes
- Provide tax incentives to build starter homes
- \$40 Billion fund for new housing to encourage developers to innovate in design, building and finance new housing
- Open up federal land for more construction

Former President Trump

- Build more single-family homes by slashing inflation
- Oppose affordable multifamily housing in suburbs
- Cut federal regulations regarding home building
- Open up federal land for more construction
- Deport undocumented persons to reduce the cost of housing

Connect with Your Legislators: Election Season is a Key Teachable Moment

- **Identify your State Representative and Senator at www.pluralpolicy.com/findyourlegislator**
- **Who are they? Work, background, experience, religion, family?**
- **What are they concerned about?**
- **Leadership and committee roles?**
- **Shared interests, connections, relationships?**
- **Start to Build a Relationship that will Grow over Time.**
 - **Remember this is a year-round process.**
 - **The legislative session is the hardest time of year to get their attention.**

Elevate Housing Issues in Elections

- Share Information About the Candidates' Positions on Housing and Homelessness Issues with Voters.
- Discuss these issues with colleagues, family, friends and neighbors to raise awareness of the candidates' positions on the issues.
- Be sure the candidates know your positions on these issues, thank them for past support, educate them about upcoming priorities, and determine whether they are on the same page with you.

Next Steps!

- **Be active in the election process and help others to join with you – educate others on the issues and the candidates' positions, help get out the vote.**
- **Connect with your Senator and Representative and urge them to support your housing priorities. Build a relationship.**
- **Watch for updates and alerts during the legislative session and throughout the year and take action when asked.**
- **Join us for Georgia ACT's Housing Day at the Capitol.**

Thank you!

Questions? Comments?

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