



**Atlanta Regional  
Housing Forum**

## ***The State of Homelessness in Metro Atlanta***

***Thursday, March 9, 2023; 9:30 a.m.***

***St. Luke's Episcopal Church***

***435 Peachtree St. NE, Atlanta, GA 30303***

*The Housing Forum is guided by an Advisory Council and a Steering Committee and presented by*



**Bill Bolling**  
Moderator & Founder



**Elizabeth Appley**  
Attorney At Law



**Barbara Coleman**  
Connecting Henry, Inc.



**Annie Godfrey**  
A Home for Everyone  
In DeKalb



**Jack Hardin**  
Regional Council on  
Homelessness



**Dr. Bambi Hayes-Brown**  
Georgia ACT



**Raphael Holloway**  
Gateway Center



**Cathryn Vassell**  
Partners for HOME

**ADDITIONAL DETAILS & PRESENTATIONS AT** [www.AtlantaRegionalHousingForum.org/mar2023](http://www.AtlantaRegionalHousingForum.org/mar2023)



# Atlanta Regional Housing Forum

Up Next...

***Legislative Update***

**Elizabeth Appley**

Housing Advocate & Attorney at Law

Slides at [www.AtlantaRegionalHousingForum.org/mar2023](http://www.AtlantaRegionalHousingForum.org/mar2023)

# Legislative Update on Housing and Homelessness

- **Atlanta Regional Housing Forum, March 9, 2023**
- **Elizabeth J. Appley**
- **Attorney and Public Policy Advocate**
  - Enterprise Community Partners Southeast
  - Georgia Advancing Communities Together
  - Georgia Supportive Housing Association
  - 9to5 Georgia
  - Presbyterians for a Better Georgia
- Slides at [www.AtlantaRegionalHousingForum.org/mar2023](http://www.AtlantaRegionalHousingForum.org/mar2023)



# Taking Stock of the Legislative Session

- Calendar adopted on Day 1 through *Sine Die* on March 29
- Today is Day 31 of 40
  - Monday was the Crossover Day Deadline
- New Leadership and Many New Faces
- \$6.6 Billion Surplus
- Moving Forward on Mental Health
- Unprecedented Interest in Housing
  - Covid Impacts
  - AJC Dangerous Dwellings Series
  - Institutional Investors
  - Governor and Workforce Housing

# HB 404: Safe at Home Act What Does the Bill Say?

Every oral or written lease for residential rental property deemed to include a provision that the premises are **fit for human habitation**.

Landlord's duties as to utilities prior to eviction extended to include cooling, as well as heat, light and water.

Limits maximum security deposits to two months' rent.

Requires notice and three business day right to cure before landlord can file for an eviction for late payment of rent or fees. Does not specify notice for other lease violations.

# More Issues to be Addressed

**Passed the House Unanimously.  
In Senate Judiciary Committee.  
Changes needed to strengthen the Bill:**

- Link **“fit for human habitation”** to specific health and safety standards.
- Provide a **meaningful remedy** for violation of the warranty of habitability.
  - Right to terminate the lease.
  - Right to withhold rent, pursue damages.
- Advocate to **extend notice period to 7 days** and include notice protection for persons violating their lease in other ways that do not involve non-payment or criminal activity.
- **Reduce two-month security deposit cap** to one month.

# Addressing Homelessness

- 2021-2022: Fighting legislation to criminalize homelessness, forcing people into sanctioned encampments (parking lots with a porta potty and potable water) and diverting funding away from HousingFirst and supportive housing with wrap around services, into encampments.
- Bills failed to pass.
- Fallback was a Senate Study Committee on Unsheltered Homelessness
  - Wide ranging powerful testimony from all corners of the state, people with lived experience, experts, advocates, providers, agency employees, etc.
  - Strong recommendations for increased funding, ID, MH and SUD treatment, decriminalize homelessness, etc.

# SB 62: Sanctioned Encampments Again

- SB 62 introduced without some of the problems in prior versions, but not intended to reduce homelessness.
- Secured needed amendments. Passed Senate Monday.
  - Bars cities and counties from *adopting a written policy* prohibiting enforcement of anti-sleeping, anti-camping, street obstruction criminal bans.
  - Bars cities and counties from *adopting a written policy* prohibiting law enforcement or prosecutors from enforcing these criminal laws.
  - Allows for policies of diversion or provision of services instead of arrest.
  - Eliminated diversion of homeless funds.
  - Eliminated provisions regarding creation of sanctioned encampments.
  - Provides for audit in 2023 of spending on homeless programs.
- In House Governmental Affairs Committee



# Georgia's DOJ Settlement Agreement to House Homeless People with Mental Illness

- The State of Georgia entered into a Settlement Agreement with the federal Department of Justice in 2010 agreeing to help move people with disabilities out of institutions and into the community with supports in accordance with Constitutional requirements.
- One aspect of the Agreement that remains unfulfilled is the obligation to provide supportive housing to people who are homeless with severe and persistent mental illness and/or substance abuse disorder who are cycling through the criminal justice system, emergency rooms and state hospitals. 9,000 people were estimated to be in that target population. The state is now serving fewer than 2,000.
- The Senate Study Committee on Unsheltered Homelessness and the Behavioral Health Reform and Innovation Commission recommend increasing funding for housing for homeless people.
- Georgia Housing Voucher Program was cut by \$6.4 Million (24%) in FY 2021. \$3.4 Million was restored in FY 2023. House recommended increase of \$1.9 Million for FY 2024. More needed.
- \$825,000 also funded for Partners for Home outreach to homeless in FY 23 Amended and recommended by House for FY 2024.

# Homelessness Addressed in HB 520

- **HB 520 Comprehensive Mental Health Bill:**
- **Hearing Monday in Senate Health Committee**
- Addresses the need for housing and services for homeless people with behavioral health and/or substance abuse issues.
  - Divert from criminal justice system into housing and services;
  - Evaluate for housing and behavioral health and/or substance abuse disorders upon incarceration and refer appropriately;
  - Increase prison in-reach to support successful re-entry and connection to housing, healthcare, benefits, ID, etc.
  - DCA addresses tenant selection criteria and criminal history barriers and identify ways to increase supportive housing for familiar faces;
  - State to apply for Medicaid Waiver for spending up to 2% of Medicaid funds for housing supports, employment supports, case management, outreach, etc.


# BHRIC Task Force and Homelessness

Behavioral Health Reform and Innovation Commission (BHRIC) to study the intersection of behavioral health and homelessness:


- State and local officials, representatives of advocacy groups, experts and other stakeholders.
- Identify all state and local government agencies, nonprofits, and others providing services and spending funds to help homeless and identify funding sources;
- Recommend ways to better coordinate government and nonprofit services, funding and data about individuals being served;
- Recommend improvements for transition from prison to community for housing and wrap around services to increase housing stability;
- Recommend how to decrease number of homeless people with behavioral health issues;
- Report due by Dec. 1, 2023.

# Funding to Support Housing

**HB 283 First Time Homebuyer Tax Credit** – Allows first time homebuyer a 1.2% tax credit for the purchase of a home valued at up to \$250,000 for homes purchased between July 1, 2023- June 30, 2024. Maximum of \$3,000 for homebuyer. **Taxes for Manufactured Homes** - Changes the way manufactured hoes are taxed to eliminate double taxation on materials purchased to build the homes, and current taxation on sales price of manufactured home.



**HB 101:** Multiple controversial tax credits, including private school vouchers, rural hospitals, and others. **Creates a tax credit for Habitat for Humanity** for zero interest loans for single family homes capped at \$10 Million per year.



**Rural Workforce Housing Fund** – Governor reallocated \$35.7 Million from existing funds to create a Rural Workforce Housing Fund for housing or development authorities to develop land (e.g., infrastructure) in connection with large economic development projects to support creation of workforce housing.

# Predatory Brokerage Agreements

**HB 471: Prohibit Predatory Brokerage Agreements** – Predatory wholesalers solicit and prey on seniors, low income, and vulnerable by offering a few dollars in exchange for a 40 year exclusive brokerage agreement for them to sell their home, then place a lien on the home, agreement survives the owner’s death, etc.

• *DID NOT CROSS OVER*




**HB 669 : Listing Rights Purchase Act** – Predatory brokerage agreement bill would have protected these predatory practices and enshrined them in statute.

• *DID NOT CROSS OVER*

# Bad Bills that Did Not Cross Over

**SB 188: Build to Rent** – Prevent local governments from regulating the landlord tenant relationship in any way. Pushed by out of state investor groups that bought 65,000 homes in past decade in metro Atlanta. Target Black neighborhoods. Focusing on Georgia due to absence of tenant protections. Homebuyers can't compete with all cash, no inspection purchases. Predatory landlords, raise rents, high eviction rates, fail to maintain property or provide security, non-responsive to complaints, high junk fees, etc. Seeking massive profits with rapid turnover in a few years.



**SB 186: Landowner Protection Act** – Proposed an impossibly high standard for a person to prevail in suing a landowner for injuries sustained at the hands of a third party on their premises, including when the landlord fails to provide adequate lighting, locks, gates, or other security after known acts of violence have occurred.

# Next Steps



Build a relationship with your State Senator and Representative on the issues you care about

Identify who represents you at [www.openstates.org](http://www.openstates.org)



Let them know what you do, why you care, and what action you want them to take to address homelessness and housing affordability in our state and in their district



Advocate now to ensure passage of strong bills to support housing and address homelessness.



Help others understand what is needed to build more affordable and supportive housing with necessary supports and why it is important to raise their voices.

# Thank you!

Questions? Comments?

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# Atlanta Regional Housing Forum

Up Next...

## *Conversation with Dr. Bambi Hayes-Brown*

President & CEO, Georgia ACT



**Atlanta Regional  
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Up Next...

***Panel: State of Homelessness in Metro Atlanta***

**Jack Hardin, Regional Council on Homelessness**

**Catheryn Vassell, Partners for HOME**

**Raphael Holloway, Gateway Center**

**Barbara Coleman, Connecting Henry**



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Up Next...

## ***Spotlight on Success***

# A Home for Everyone In DeKalb



## Atlanta Regional Housing Forum

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*More online at [www.AtlantaRegionalHousingForum.org](http://www.AtlantaRegionalHousingForum.org)*