



January 20, 2020

The Honorable Ben Carson  
Secretary  
U.S. Department of Housing and Urban Development  
451 7th Street, S.W.  
Washington, D.C. 20410

**Robin Vos**  
Assembly Speaker  
Wisconsin  
President, NCSL

**Katherine B. Schill**  
Fiscal Analyst  
Fiscal Analysis Department  
Minnesota  
Staff Co-Chair, NCSL

**Tim Storey**  
Executive Director

RE: White House Council on Eliminating Regulatory Barriers to Affordable Housing; Request for Information (FR-6187-N-01)

Dear Secretary Carson:

On behalf of the National Conference of State Legislatures (NCSL), the bipartisan organization representing the legislatures of our nation's states, territories, commonwealths and the District of Columbia, I write in response to the Department of Housing and Urban Development (HUD) Request for Information (RFI) on Eliminating Barriers to Affordable Housing.

The lack of affordable housing is a serious concern for state legislators. Identification of significant barriers to affordable housing must begin with an examination of the federal statutory and regulatory scheme as under the current federal framework states are constrained to act within federal parameters. Federal housing grants and programs must provide state flexibility and remove unnecessary constraints on states' abilities to determine the best use of federal funding.

For example, the HOME Investments Partnerships Program (HOME), which provides grants to states for a range of housing activities such as: building, buying and refurbishing housing for rent or ownership; or providing direct rental assistance to low-income families does not allow states to choose where and to whom the grants are given. If the HOME program provided states this flexibility, it would fast-track the approval process, cap and/or reduce the local regulations and even compensate property owners for Fifth Amendment Takings. Additional federal government regulatory oversight causes incentives to be undermined, and states and localities are hampered in their own reform efforts.

In addition to the HOME program, NCSL's longstanding policy supports public-private partnership programs and initiatives that increase the availability of financing for homeownership opportunities. NCSL supports first-time home buyer tax credits to promote homeownership prospects, preserving the Mortgage Interest Deduction, and low-income housing tax credits that produce new, affordable housing. By strengthening the Affordable Housing Tax Credit, both H.R. 3077 and S. 1703 would increase the amount of credits allocated to each state by 50%, which is projected to create more than 384,000 additional affordable homes over the course of the next 10 years.

There has been significant progress in the fight to prevent and ultimately end veteran homelessness in large part due to the HUD-VASH voucher program. According to the U.S. Department of Veterans Affairs, HUD and U.S. Interagency Council, the number of veterans experiencing homelessness in the country has been cut in half since 2010, which equates to a 5.4% decrease. To continue achieving the goal of ending homelessness among our veterans, NCSL is committed to collaborating with the federal government in hopes of finding solutions that work best within our communities. There have been unprecedented levels of support at the local and state level but also nationally as well. State legislatures across the country have continually aligned themselves with the resources and most effective practices to ensure rapid and safe housing for veterans who need it.

NCSL maintains that the best and most comprehensive way to address our nation's housing crisis is to bring state policymakers and other relevant stakeholders to the table. HUD cannot ignore the state legislative perspective because to do so makes federal housing regulations haphazard and ineffective. Conversely, HUD's engaging in meaningful consultation with states would benefit both states and the federal government by providing a platform for a more streamlined, flexible, and workable regulatory framework on housing issues. NCSL respectfully requests increased dialogue between state legislators and HUD officials to ensure that reasonable regulations are created that provide the appropriate relief to our citizens. Again, we sincerely appreciate your agency's heightened attention to this issue and look forward to continuing our positive relationship. If you or your staff have any further questions or concerns, please contact NCSL staff Jon Jukuri ([Jon.Jukuri@ncsl.org](mailto:Jon.Jukuri@ncsl.org)) and Michael Quillen ([Michael.Quillen@ncsl.org](mailto:Michael.Quillen@ncsl.org)).

Sincerely,



Tim Storey  
Executive Director  
National Conference of State Legislatures