
From the Editor-in-Chief

Tim Iglesias

Affordable housing, fair housing, and community development are currently in the throes of deep uncertainty. This issue explores the problems and offers thoughtful, grounded suggestions for moving forward. In addition to our regular features and a comprehensive article on affordable housing in Oregon, this issue includes nine essays, five marking the 50th anniversary of the passage of the federal Fair Housing Act and four more on the theme of opportunities and challenges for affordable housing, fair housing, and community development in the new administration.

"From the Reading Room" features my review of a new important book on fair housing law, *The Fight for Fair Housing: Causes, Consequences and Future Implications of the 1968 Federal Fair Housing Act*, edited by Gregory Squires, a professor of sociology, public policy, and public administration at George Washington University. The book makes two major contributions: it advances the argument that fair housing law is valuable for everyone, not just members of protected classes; and it presents a very dynamic and comprehensive view of racial residential segregation.

Fair housing law and its complications are the common theme of five essays. In *Leveraging the Besieged Assessment of Fair Housing Process to Create Common Ground Among Fair Housing Advocates and Community Developers*, Diane Glauber and Thomas Silverstein, Co-Director and Associate Counsel, respectively, of the Fair Housing & Community Development Project of the Lawyers' Committee for Civil Rights Under Law, demonstrate with specific examples that fair housing planning can facilitate meaningful collaboration between community developers and fair housing advocates both within and outside the zero-sum game of limited federal funding. In a similar vein, Megan Haberle, Director of Housing Policy at the Poverty & Race Research Action Council, offers hope and guidance in her essay, *An Evolving Fair Housing Movement: Forging New Partnerships and Agendas Across Policy Areas*. Recognizing the need to both defend hard-won gains at the federal level and to explore new opportunities at the state and local levels, Haberle encourages community developers, fair housing advocates, and policy makers to collaborate creatively across traditional issue areas, e.g., housing policy, educational policy, environmental justice, and infrastructure policy, to dismantle residential segregation.

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In *Threading the Needle of Fair Housing Law in a Gentrifying City with a Legacy of Discrimination*, I share the interesting story of a conflict between fair housing law and a local preference intended to stem further exodus of African Americans from San Francisco that erupted in the context of HUD's review of an affirmative fair housing marketing plan for a new senior housing development. After a great deal of back and forth, San Francisco and HUD crafted a creative solution that might have utility for cities in similar situations.

Renee Williams and Kara Brodfuehrer, Staff Attorneys at the National Housing Law Project, contribute *When Opportunity Knocks: Working with State Housing Finance Agencies to Promote Desegregation Within the LIHTC Program*. This essay reflects on the challenge of implementing HUD's balanced approach and examines how California is addressing the historic patterns of siting LIHTC units in segregated, high-poverty areas; how stakeholders had an impact in California's new approach; and what factors housing agencies and stakeholders in other states who seek to use the LIHTC program as a means of affirmatively further fair housing should consider.

And, in *Dismantling the Narratives That Constrain Public Support for Fair Housing: The Urgent Need to Reframe the Public Conversation to Build Public Will*, Tiffany A. Manuel, Vice President for Knowledge, Impact, & Strategy at Enterprise Community Partners, Inc., first draws on contemporary public opinion research to analyze the limitations of common approaches to promote fair housing and affordable housing development and then offers concrete suggestions for reframing our messages to be more likely to engender support.

This issue continues the theme begun in Volume 26, Number 2 on the opportunities and challenges to affordable housing, fair housing, and community development under the current administration.

In their essay *Tax Reform and Its Consequences for Affordable Rental Housing*, Michael Novogradac, Scot Keller, Peter Lawrence, and Mark Shelburne, all from Novogradac & Company LLP, review the tax changes included in the final tax reform bill that are particularly relevant to the use of the LIHTC for the production and preservation of affordable rental housing.

Readers may associate state housing agencies primarily with drafting Qualified Allocation Plans and distributing tax credits. In her essay *Housing Finance Agencies: Opportunities and Challenges in 2018*, Carlie Boos, Program and Policy Manager at the Ohio Housing Finance Agency, carefully elucidates the many other roles and interests of state housing finance agencies and then details her organization's agenda for 2018.

In *Achieving Housing Choice and Mobility in the Voucher Program: Recommendations for the Administration*, Deborah Thrope, Supervising Attorney at the National Housing Law Project, provides a wide-ranging set of policy recommendations to HUD to address voucher families' key barriers to housing choice and mobility.

Finally, in *Strategies to Address Homelessness in the Trump Era: Lessons from the Reagan Years*, Maria Foscarinis, Founder and Executive Director

of the National Law Center on Homelessness & Poverty, draws upon her extensive and rich personal experience to give a historical perspective, reminding us that “change is possible even in the face of seemingly insurmountable odds.” She then evaluates the strengths and potential of the current movement to end homelessness.

Paul Diller, Professor of Law at Willamette University, and Edward Sullivan, a former Instructor in planning law at Willamette University, contribute a broad analysis of Oregon’s unique land use planning system and its impact on housing affordability in their article, *The Challenge of Housing Affordability in Oregon: Facts, Tools and Outcomes*. They place Oregon’s system in the national context, trace its evolution, and explore policy and legal tools for addressing the state’s current affordable housing crisis.

This issue’s organizational profile features Lone Star Legal Aid, a non-profit law firm located in Houston, Texas, that is the fourth largest free legal aid organization in the United States. LSLA’s Communications Director Clarissa Ayala shares the dramatic and amazing work that LSLA performed after Hurricane Harvey, in collaboration with Daniel & Beshara, P.C., and its ongoing assistance to survivors of that disaster.

In this issue’s Digest, four associates—Shanellah Verna of Ballard Spahr LLP, Adam Norlander of Klein Hornig LLP, and Alec Rubenstein and Katherine C. Bailey from Robinson & Cole LLP—summarize five important publications. The topics range from high-level analyses of housing problems and residential integration to detailed evaluations of the federal housing voucher program and an outcome-based contracting initiative called Pay for Success.

On behalf of past and present Journal editors and readers I want to thank Sharon Wilson-Geno, currently Executive Vice President, National Services and Chief Operating Officer of Volunteers of America, for her excellent service in writing the *Heard from HUD* column for the last several years. And, I want to welcome Cynthia Langelier Paine and Schuyler Armstrong, Special Counsel and associate, respectively, at Katten Muchin Rosenman LLP, who have generously offered to take on this important and challenging task.

I welcome feedback from readers. Please email me at iglesias@usfca.edu.

