



February 23, 2021

Dear Virginians,

When I was a young girl, housing insecurity was an unfortunate reality of my community. I regularly witnessed my grandmother extend her home to church members working to get back on their feet when they lost housing. The thing is, the issue hasn't disappeared since then — far from it. Virginians are still battling housing insecurity today, and it has been made much worse by the COVID-19 pandemic. My husband has served people without housing in our community for 12 years, working with those experiencing trauma, domestic violence, substance abuse, and mental illness. And he's helped them through the COVID-19 pandemic.

While volunteering at Legal Aid, I assisted those wrongfully evicted prepare for their eviction court hearings. And as a public defender representing indigent Virginians, I worked to help my clients without homes get connected with housing programs and resources.

I kept these residents in mind when I served in the House of Delegates. In response to [explosive eviction reports](#) in Virginia, I introduced and passed bipartisan legislation to provide tenants more time before eviction to pay their rent,<sup>1</sup> supported legislation to expand affordable housing by allowing certain area landlords to utilize the housing choice voucher credit,<sup>2</sup> supported efforts to combat housing discrimination on the basis of source of funds,<sup>3</sup> supported millions of dollars in the budget for the Public Housing Trust Fund, and widened housing options for low-income residents. When the COVID-19 pandemic hit renters and homeowners the hardest, I led the Prince William delegation in fighting to extend eviction moratorium proceedings,<sup>4</sup> supported legislation to enact a statewide eviction moratorium,<sup>5</sup> and helped pass a state budget that ensures utility shutoff moratoriums for customers of all utilities and allocated assistance to those who are late on their payments.<sup>6</sup>

As Governor, I will go further to increase access to affordable housing and end homelessness by implementing zoning reforms and increasing funding for public housing. My administration will do more to protect and expand renter protections. We will work to codify eviction moratoriums and end payment plan requirements to help Virginians, burdened with debt from the devastating impact of the COVID-19 pandemic, get back on their feet without having to lose a roof over their heads.

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<sup>1</sup> ["HB 1898: Virginia Residential Landlord & Tenant Act," Virginia's Legislative Information System, Last Modified 02/15/19.](#)

<sup>2</sup> ["HB 590: Income tax, state," Virginia's Legislative Information System, Last Modified 03/23/20.](#)

<sup>3</sup> ["Virginia House of Delegates Passes Bill to Prohibit Landlords from Refusing Housing Choice Vouchers," NLIHC, 03/09/20.](#)

<sup>4</sup> [Daniel Berti, "Prince William's state lawmakers urge local courts to halt evictions for 3 weeks," Prince William Times, 07/22/20.](#)

<sup>5</sup> ["HB 5111: Va. Residential Landlord & Tenant Act," Virginia's Legislative Information System, Last Modified 11/09/20.](#)

<sup>6</sup> [WAVY Web Staff, "Northam signs revised Virginia budget to include utility shutoff protection, eviction moratorium," WAVY, 11/18/20.](#)

The truth is that the housing crisis in our Commonwealth is far from over, and as Governor, I will work tirelessly to combat houselessness and evictions, strengthen tenant rights during this public health crisis, and expand access to affordable housing. Here is my plan.

Sincerely,

Jennifer Carroll Foy

## AFFORDABLE HOUSING

### **KEEP VIRGINIANS IN THEIR HOMES**

The COVID-19 pandemic has forced Virginians into an impossible situation. Stretched thin and impacted by job losses that are no fault of their own, many don't have the resources they expected to be able to pay their rent, along with other critical expenses to support their families. We know that the impact of the COVID-19 pandemic will be felt for years to come, so we must take action to help Virginians at the center of the pain:

- **Codify an eviction moratorium.** As of now, the federal moratorium on evictions has only been extended through March,<sup>7</sup> and as many Virginians fall deeper into debt, we cannot sit back and hope that the moratorium is extended again. As Governor, my administration will codify Virginia's eviction moratorium until 2022. Additionally, because moratoriums do not cancel debt owed, my administration will work to provide incentives for landlords and property managers who apply for rent relief on behalf of their tenants.
- **Expand payment plan requirements.** As Governor, I will expand on the requirement for landlords who own more than four rental units to offer a payment plan of up to six months if a tenant signs a declaration of hardship due to COVID-19.<sup>8</sup> Right now, these landlords are only required to offer this option once during a lease term, and landlords with four or fewer units are not subject to this requirement.<sup>9</sup> My administration will incentivize property managers who offer payment plans longer than six months and offer payment plans more than once during a rental agreement.

### **EXPAND ACCESS TO AFFORDABLE HOUSING**

There's no denying that there is a housing crisis in our Commonwealth. According to the National Low Income Housing Coalition (NLIHC), there is a shortage of more than 150,000 rental homes affordable and available for extremely low-income renters in Virginia.<sup>10</sup> And 70 percent of extremely low-income renter households in our Commonwealth are "severely cost burdened," meaning they spend more than half their income on housing, and they are most likely to sacrifice necessities to pay the rent.<sup>11</sup> And these issues have only gotten worse during the pandemic. It's clear that we must increase state funding for housing programs through efforts

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<sup>7</sup> ["Acting HUD Secretary Announces Extension of Eviction and Foreclosure Moratoriums," HUD Public Affairs, 1/21/21.](#)

<sup>8</sup> ["Here's how Virginians can avoid eviction in 2021," Jackie DeFusco, WAVY, 1/1/2021](#)

<sup>9</sup> ["Here's how Virginians can avoid eviction in 2021," Jackie DeFusco, WAVY, 1/1/2021](#)

<sup>10</sup> ["Housing Needs By State/Virginia," nlihc.org, Last Accessed 02/10/21.](#)

<sup>11</sup> ["Housing Needs By State/Virginia," nlihc.org, Last Accessed 02/10/21.](#)

such as those sponsored by the Virginia Housing Trust Fund. But we must do more. As Governor, I will undertake efforts to expand affordable housing in Virginia:

- **Implement zoning reform.** My administration will implement zoning reform efforts such as increasing the number of inclusionary zoning programs in our Commonwealth by requiring or incentivizing private developers to designate a certain percentage of housing units in a project as below-market-rate.<sup>12</sup> Inclusionary zoning programs are cost effective because they require minimal public subsidy, and they increase housing affordability in high-opportunity areas.<sup>13</sup>
- **Work towards ending LGBTQIA+ homelessness** As outlined in my plan to protect LGBTQIA+ rights, I will institute a statewide 100-day challenge to end LGBTQIA+ homelessness. This effort, modeled on successes in California to combat veteran and youth homelessness,<sup>14</sup> brings together local governments, nonprofits, and LGBTQIA+ centers to ensure that no person is without housing and to build on current community response initiatives.
- **Address veteran homelessness & invest in veteran wrap-around services.** As governor, my administration will increase Community Service Boards' funding for the 40 CSBs acting as a provider for community-based mental health, developmental and intellectual disabilities services, and substance use disorders. The funding will improve availability and accessibility of diversion programs, therapy, counseling, and treatment, which will benefit many veterans and their families.

### **STRONGER PROTECTIONS FOR RENTERS**

Right now, renting a home in Virginia can be a cumbersome, opaque process. Keeping a roof over your family's head shouldn't be this hard – families deserve transparency around their rights to stay in their homes. We must also keep in mind that the confusion is heightened for Virginians for whom English is a second language. They deserve to understand their rights just like everyone else, but for too long they've been an afterthought.

These aren't just issues Virginians have faced during the COVID-19 pandemic. They've persisted thanks to a broken status quo, leaving Virginians in the dark about how to keep their families safe and at home. It's far past time to take action.

- **Ensure that Virginia residents know their rights.** With housing and renting regulations changing often due to the effects of the COVID-19 pandemic, it is imperative that Virginia residents have easy access to accurate materials detailing their rights. As Governor, I will work to ensure that "know-your-rights" materials are available to every Virginian by requiring informational materials from the Commonwealth to be made in multiple languages. In addition, my administration will support press conferences and other public events in multiple languages whenever possible.
- **Build on renter protections.** My administration will build on existing renter and homeowner protections to ensure that they work for all Virginians through this pandemic

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<sup>12</sup> ["Policy Spotlight: Zoning Reform," VA Our Way, 12/30/20.](#)

<sup>13</sup> ["Policy Spotlight: Zoning Reform," VA Our Way, 12/30/20.](#)

<sup>14</sup> ["Governor Newsom Launches 100-Day Challenge Initiative for California Cities & Counties to Fight Homelessness," Office of Governor Gavin Newsom, 12/05/19.](#)

and after. To start, my administration will strengthen tenants' rights to "pay and stay" by instituting required grace periods in which tenants can pay their rent late and incentivizing landlords and property managers who extend their grace periods beyond the requirements, especially during times of hardship. Additionally, I will codify a warranty of habitability law, building on existing requirements<sup>15</sup> for landlords to maintain fit premises and the implied warranty of habitability.

- **Build on utility bill protections.** To address utility deficits, I supported Gov. Ralph Northam's budget that would extend the current moratorium on utility disconnections 60 days beyond the expiration of Virginia's pandemic state of emergency declaration while also mandating that utilities offer customers debt relief with repayment plans for struggling customers due to the COVID-19 pandemic. My administration will also push initiatives that direct regulators to conduct an emergency investigation of Dominion Energy's earnings and ensure regulators have full authority to compel Dominion to lower bills and overcharges. Additionally, we will use additional unobligated funds obtained through the federal Coronavirus Aid, Relief and Economic Security (CARES) Act to financially assist struggling residents.

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<sup>15</sup> ["§ 55.1-1220. Landlord to maintain fit premises." Code of Virginia, Last Accessed 02/10/21.](#)