



TO: Environmental Protection Agency
RE: Environmental and Climate Justice Block Grant Program Request for Information
DOCKET ID: EPA-HQ-OEJECR-2023-0023
FROM: The Alliance for Housing Justice
ATTACHMENT: [A Framework for Equitable Investment](#)
DATE: April 10, 2023

Historic and present day discrimination in land use and housing policies have led to a [...] housing crisis that disproportionately impacts low-income communities that are predominantly Black, Indigenous, and people of color. The same forces that drive present-day housing instability in these communities also expose them to higher concentrations of toxic and polluting land uses, which result in health impacts and perpetuate socioeconomic inequities.¹

The Alliance for Housing Justice (AHJ) is a coalition of housing justice organizations, formed to address the nation's affordable housing and displacement crisis, advance tenant rights, and shift housing from a commodity to a human right. We all need a place to call home; healthy, affordable, safe housing, and community is a fundamental human need. But our nation's history of racist housing and land use policy has led to a crisis of housing quality and affordability that intersects with our climate crisis, resulting in millions of people paying more than they can afford for substandard and even toxic housing. We appreciate the opportunity to provide our perspective for this Request for Information to help ensure that EPA's grant funds are truly advancing the goals of environmental, racial, economic, and climate justice.

The issues of housing stability, healthy communities, and a clean environment are inextricable, as are the negative impacts of toxic environments, disinvestment, and skyrocketing housing costs on disadvantaged communities. It is imperative that these intersecting issues remain top of mind in the Environmental Protection Agency's design and implementation as these historic investments in climate justice are made, in order to truly meet the goals of the grant program and the Justice40 initiative as well as needs of disadvantaged communities.

To further these goals, we urge the EPA to include three main components. First, ensure that the design and implementation of the grant programs are fully inclusive of, and aligned with, the Fair Housing Act's Affirmatively Furthering Fair Housing obligation, and that all grantees incorporate their jurisdiction's AFFH Equity Plans into any projects. Second, that priority be given to grant-funded projects that acquire, rehabilitate, and green housing that can be maintained or converted to housing that meets the definitions of social housing. Finally, grantee consortiums should be strongly encouraged to include renters and

¹ California Green Zones, A Project of California Environmental Justice Alliance Initiative "Environmental & Housing Justice Policy Platform"

manufactured home residents, as well as grassroots organizations representing those constituencies, to ensure the intersections of poverty, race, toxic environments, and housing are addressed.

As referred to in the request for information, new investment in disadvantaged communities can have the unintended — and disastrous — consequence of driving displacement of existing community members through gentrification. It is imperative that protections are put in place that will ensure that those who have been impacted by environmental harms be able to remain in their newly revitalized homes and communities.

As noted in the comment submitted by PolicyLink and Lawyers for Good Government, the Environmental and Climate Justice Block Grant Program promises to bring about deep and transformative investments in housing, infrastructure, and land use projects that can significantly reduce the harmful impacts of indoor toxins and greenhouse gas emissions. However, without careful and thoughtful policies put in place, those investments can also cause displacement in communities and neighborhoods — particularly low-income communities and communities of color that already bear the brunt of overheated housing markets and climate disasters. In addition to the specific tenant protections and permanent housing affordability measures outlined below, the EPA must ensure that current legislation, specifically Title VI of the Civil Rights Act, the Fair Housing Act, and the National Environmental Policy Act are included to provide protection against indirect displacement resulting from the market pressure of billions in federal investments.

In particular, EPA should align with HUD around enforcement of the Affirmatively Furthering Fair Housing rule and jurisdictions' required Equity Plan processes, which could establish clear requirements and guidelines on how jurisdictions should assess whether members of protected classes have equal access to clean air and water and to sustainable and climate-resilient communities, analyze the factors contributing to any disparity, and meaningfully advance solutions. The EPA should also encourage and require grant recipients to coordinate EPA-funded investments in places with those AFFH processes.

Renters make up more than one-third of American households. Due to systemic inequality, people of color are more likely to be renters, to experience homelessness, to have lower incomes, and to be rent-burdened. HUD's office of Policy Development and Research recently reported that "African-American and Latinx renters (especially women) [...] are at greater risk for eviction."² In addition, women of color who have children are more likely to be evicted than any other group. A disproportionate amount of people of color make up those that rent their homes in this country, with 58% of households headed by Black adults renting their homes, and 52% of Hispanic- or Latino-led households renting their homes³. Reports from the EPA have consistently identified communities of color to be those most affected by climate change and pollution. This is not by accident, as jurisdictions subject to AFFH and Title VI commonly create and execute land use and air permitting policies that concentrate heavy industry in communities of color. Federally assisted housing is not immune to that practice.⁴ The EPA's social vulnerability report found that 34% of Black people were more likely to currently live in areas with the highest projected increases in childhood asthma diagnoses, and 40% more likely to

² PD&R "[Evidence Matters](#)" September 2021

³ Pew Research Center, "[As national eviction ban expires, a look at who rents and who owns in the U.S.](#)," August 2, 2021

⁴ Shriver Center, "[Poisonous Homes, The Fight for Environmental Justice in Federally Assisted Housing](#)," June 2020

currently live in areas with the highest projected increases in extreme temperature related deaths.⁵ This same study also found that Hispanics and Latinos who commonly work in industries like construction and agriculture are especially vulnerable to the effects of extreme temperatures. Hispanic and Latino individuals are 43% more likely to currently live in areas with the highest projected reductions in labor hours due to extreme temperatures. This data clearly indicates that the most vulnerable people (low-income renters of color) are also those most adversely affected by both pollution, climate change, and poor housing quality. These impacts must be highlighted and addressed. Creating green, permanently affordable social housing in safe locations near places of employment would directly improve both pollution, heating due to carbon concentration in neighborhoods of color, and environmental health conditions for renters.

Millions of people have already been displaced by natural disasters like stronger hurricanes and devastating fires. To mitigate this climate displacement, cities need to build permanently affordable climate safe housing. This investment in new green infrastructure, new green social housing, and the green rehabilitation of existing social housing stock would reduce energy consumption, shorten commutes, and be more resilient to extreme weather patterns.

The grants must be directed towards the acquisition, building, and rehabilitation of rental and cooperative housing that is designed to be resilient in the face of climate-related disasters to keep residents safe, dry, and protected from extreme temperatures and weather. But it is imperative that these investments do not continue to support a housing system that is failing extremely, very, and low income people and people of color. The Climate Justice Block Grant Program can be a catalyst for transitioning to a system that is resilient to economic shocks as well as climate ones, by steering funding to projects that include strong tenant protections — including just cause for eviction protections, rent stabilization, source-of-income discrimination, right to organize, right to counsel, and universal habitability requirements — and the removal of units from the speculative housing market to ensure permanent affordability and therefore stability, often called social housing.

EPA should ensure that grants funds go to the acquisition, construction and rehabilitation of housing that is:

- Removed or maintained off the speculative (profit-driven) market.
- Permanently affordable for all — giving preference to those at the lowest income levels (but available to residents with both low and moderate incomes).
- Actively anti-racist and anti-discriminatory.
- Operated and managed with real input by the residents
- Climate resilient, eco-friendly, hazard free, and energy efficient.
- Safe, well-maintained, and adequate to the needs of its residents, including people with disabilities, families with children, and seniors.

“Nothing about us without us”

It is far too common for investments that are intended to help disadvantaged communities to do the opposite by, for example, locating projects in disadvantaged neighborhoods that do not benefit the

⁵ EPA, [“Climate Change and Social Vulnerability in the United States: A Focus on Six Impacts,”](#) 2021

low-income residents or actively harm them by driving displacement. The best way to avoid unintended consequences is to include those most impacted by existing and potential harms in both the input and implementation of new programs and projects.

Preference should be given for grantee cohorts that include renter, manufactured homeowner, and other community organizing groups to ensure that funds and projects are truly providing long-term benefits to disadvantaged communities and to support the capacity building for these organizations.

The member groups of the Alliance for Housing Justice look forward to continuing to work with EPA as this process moves forward to ensure that these historic investments build healthy, green and economically resilient communities for renters and their communities.

Sincerely,

Alliance for Housing Justice

The Alliance for Housing Justice includes: Action Center on Race and the Economy, Center for Popular Democracy, Housing Justice for All New York, Housing Now! California, Lawyers' Committee for Civil Rights Under Law, Liberation in a Generation, PolicyLink, Poverty & Race Research Action Council Public Advocates, Right to the City Alliance