

REPORT SEP 26, 2022

Localized Anti-Displacement Policies

Ways To Combat the Effects of Gentrification and Lack of Affordable Housing

As more investments enter disadvantaged communities, it is crucial that local policies stabilize current residents, ensure they benefit from expanded opportunity, and protect them from displacement.

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A construction worker stands on the roof of a home in an affordable housing complex in Irvine, California, January 2022. (Getty/Mindy Schauer/Digital First Media/Orange County Register)

Introduction and summary

Under President Joe Biden's administration, the federal government has provided historic investments to states and local communities to recover from the COVID-19 pandemic and resulting economic crisis;¹ revitalize the United

States' infrastructure;² advance environmental justice;³ and spur economic opportunity for minority-owned businesses.⁴ And with the passage of the Inflation Reduction Act in August, the federal government is making its most significant climate and clean energy investments in history.⁵ Critically, the Biden administration has made an extraordinary commitment through the Justice40 Initiative to direct at least 40 percent of all climate and infrastructure investment benefits toward disadvantaged communities.⁶

Investment in disadvantaged communities is instrumental to expanding economic opportunity, health, safety, and prosperity to historically marginalized populations. These investments are also crucial to reducing local pollution⁷ and building equitable resilience⁸ to extreme weather events fueled by climate change. Yet too often over the course of history, investment in underserved communities has led to displacement, disproportionately affecting people of color. The benefits of large-scale federal investments in disadvantaged neighborhoods are only realized if the long-term residents remain in their communities and are not forced out by higher rents and higher costs of living triggered by new investment.

Local governments are well positioned to foster economic stability and opportunities for longtime residents of underinvested neighborhoods. State governments have policy levers at their disposal to ensure local governments are not restricted and are instead enabled to protect their most vulnerable residents from displacement. And the federal government has influence to ensure that federal investments do not exacerbate displacement but rather prioritize the needs of residents in disadvantaged communities. Policymakers at all levels must implement anti-displacement measures—in tandem with these investments—that foster inclusive development; stabilize communities of color and low-income communities; address housing affordability and price increases; ensure housing supply anticipates and meets demand; and remain effective, sustainable, and scalable over time.

Defining displacement

Displacement is the forced or involuntary relocation of residents, including departure from a home or neighborhood where a tenant would otherwise have wanted to remain if not for socioeconomic or environmental pressures making that infeasible or undesirable.⁹ Displacement is deeply entwined with gentrification, the term coined by British sociologist Ruth Glass to label the movement of investment and higher-income residents into previously under-invested communities.¹⁰ Generally, the process of gentrification begins and continues rapidly until all or most of the original low-income or working-class occupiers are displaced and the character of the district is changed. While usually displacement follows gentrification, sometimes it precedes it, such as when new transportation and infrastructure are planned but not yet completed.¹¹ In either case, the impact predominantly exposes lower-income people and residents of color to the brunt of the consequences.¹² Namely, as property values and rent prices steadily rise, community members are often pushed out of their neighborhoods and unable to access the new economic, environmental, and health benefits brought to the community.

Displacement is not new and can take many forms. It can resemble the forced removal of Native Americans from their lands in the 1830s;¹³ the displacement of people of color caused by urban renewal and local governments seizing land deemed “blighted” through eminent domain after passage of the Fair Housing Act of 1949;¹⁴ the displacement and destruction of Black neighborhoods for infrastructure and highway development in the 1960s,¹⁵ such as in the Black Bottom neighborhood of Detroit;¹⁶ the displacement caused by natural disasters devastating communities, such as in New Orleans following Hurricane Katrina in the 2000s;¹⁷ or displacement induced by new public green space development, including the New York City High Line in Manhattan in the 2010s.¹⁸

Displacement is persistent

Displacement in America today is the result of policy choices that have made housing unaffordable, evictions more likely, and opportunity for upward mobility less accessible, particularly in large metropolitan areas. It tends to occur in neighborhoods that have historically suffered from underinvestment and that are experiencing gentrification, advancing new transit projects, and building more infrastructure and that fail to enact policies to protect residents. Meanwhile, the frequency and destructiveness of natural disasters have revealed that the country’s energy and environment policy decisions expose communities to displacement due to climate change.



National trends showed more than 110,000 Black residents and 24,000 Hispanic residents were displaced from urban areas from 2000 to 2013 due to gentrification.

These policies have led to the stark results Americans face today. A Harvard University study estimates that the U.S. housing market is short by nearly 4 million homes.¹⁹ But when looking at affordability, the shortage of affordable housing available to extremely low-income renter households is 7 million.²⁰ And a lack of affordable housing leads to evictions. Nationwide there were still 434,304 evictions in 2021, despite the federal eviction moratorium²¹ in effect until August 2021, which is estimated to have prevented 1.36 million additional evictions.²² And 27.9 percent—more than one-quarter—of all avoided eviction cases in 2021 were in majority-Black neighborhoods—even though just 11.6 percent of neighborhoods are classified as majority-Black—likely due to emergency rental assistance support.²³ A large share of these evictions and the corresponding displacement of residents takes place in cities and urban areas. One study found that displacement occurred in 232 of the 1,049 eligible census tracts in urban areas nationwide, with cities such as New York City, Atlanta, and Washington, D.C., experiencing gentrification among 22 percent to 40 percent of their census tracts.²⁴ National trends showed more than 110,000 Black residents and 24,000 Hispanic residents were displaced from urban areas from 2000 to 2013 due to gentrification.²⁵ But displacement is not exclusive to urban areas. Often, natural disasters affect coastal towns and communities as well as those

that are at risk of wildfires and tornadoes. From 2008 to 2020, an estimated 9.9 million U.S. residents were displaced due to natural disasters, with 1.7 million occurring in 2020 alone.²⁶ Without strong anti-displacement policies that anchor communities, they remain vulnerable to its devastating effects.

DISPLACEMENT HAS MYRIAD CAUSES AND OCCURS NATIONWIDE

110K

Number of Black residents displaced from urban areas, 2000–2013

24K

Number of Hispanic residents displaced from urban areas, 2000–2013

1.7M

Number of U.S. residents displaced due to natural disasters, 2008–2020

Displacement leads to harsh consequences

The consequences of displacement are severe. By forcing long-term residents and communities out of their own neighborhoods, it can shake the stable factors of their lives, from employment and shelter to social determinants of health and social environment.²⁷ Displacement can uproot people from their jobs and force them to find alternative housing to remain actively employed. It also increases homelessness, especially in circumstances when alternative housing is unavailable or the costs of moving to less expensive areas is prohibitive.²⁸ Generally, the education of children is disrupted as they are removed from their schools.²⁹

In a story collected by the Center for American Progress, Javona Brownlee, a single mother of three who has experienced homelessness in the past, ended up in a homeless shelter with her children for nine months after a landlord refused to remove black mold from her apartment. The displacement to a community shelter disrupted her children’s “feeling of stability.” In her previous experiences with displacement and homelessness during her own upbringing, Javona was unable to attend school because she was trying to support herself through work—and the cycle oscillated between the difficulty of earning income to support a home and the difficulty of finding a home to support her family.³⁰ This experience is common.

Displacement can also trigger the loss of community anchors such as neighbors, churches, and small businesses, which constitute the fabric of an area, culminating in the erasure of community history, culture, and opportunities.³¹ There are also health consequences.³² People lose access to health care as they move farther away from their regular sources of primary care.³³ This is particularly harmful for older adults: Mortality rates for the elderly increase due to displacement.³⁴ Among many other reasons, people are forced to live in crowded housing to share the cost burden, which exposes them to less sanitary conditions and greater prevalence of infections and diseases.³⁵ Studies have shown that displaced residents face exacerbated food insecurity, while those most vulnerable to displacement are more likely to have diabetes, cardiovascular disease, and higher cancer rates.³⁶ And ultimately, studies have revealed that displacement affects mental health, including increased depression, anxiety, and post-traumatic stress disorder, leaving an impactful toll on those who are forced to experience it.³⁷

The causes of displacement

There are numerous causes of displacement, which contribute to harmful consequences and create an environment that allows displacement to occur and recur.

Economic insecurity and the racial wealth gap

One important driver of displacement and determinant of who is displaced is the long history of discrimination and economic injustice that unfairly concentrates wealth-building and wealth-sustaining opportunities in select communities and manifests in modern economic precarity for certain populations. This is felt through the racial wealth gap, gender pay gap, LGBTQI+ and disability labor discrimination, generational wealth divides, and exploitation of immigration status. Historically marginalized communities face barriers to employment and job security that can affect economic security, make finding affordable housing more difficult, and make retaining housing more challenging when costs rise.

MEDIAN WEALTH IN THE UNITED STATES VARIES SIGNIFICANTLY BY RACE/ETHNICITY

\$188K

Median wealth of white households

\$24K

Median wealth of Black households

\$36K

Median wealth of Hispanic households

One of the largest vulnerabilities to displacement stems from the racial wealth gap in the United States, which makes people of color more susceptible to rising housing prices. As of 2019, the median wealth of white households is \$188,200 compared with \$24,100 for Black households and \$36,100 for Hispanic households.³⁸ Much of this inequity comes from historical racial discrimination that has shaped cities by segregating communities of color from affluent, white neighborhoods.³⁹ It has deprived these groups of the resources, city services, and private development that help communities thrive. People of color, and in particular Black people, have been systematically denied the same opportunities to build and acquire wealth in these neighborhoods through land use regulations, mortgage loan restrictions, underemployment and occupational segregation,⁴⁰ poor quality of education, and discriminatory loan terms, which have exacerbated the racial wealth gap.⁴¹ Meanwhile, these communities have historically been targeted by federal, state, and local governments as well as private firms for development of new infrastructure projects that displace residents, including development of the national highway interstate system, public green spaces, and those that harm communities, such as the location of toxic waste and treatment facilities.⁴² Residents of these communities also face added burdens of health care costs stemming from high levels of pollution and lack of access to high-quality care.⁴³

Lack of housing supply and renter protections

Other policies have created an inadequate supply of housing, which disproportionately affects people of color, who are less likely to own homes,⁴⁴ more likely to be rent cost-burdened,⁴⁵ and more likely to experience homelessness.⁴⁶ These policies include: zoning regulations that prohibit multifamily housing developments;⁴⁷ land use regulations, such as parking requirements, which impose costs, barriers, and hurdles to development⁴⁸ and even lower the income and welfare of all U.S. workers;⁴⁹ environmental impact

reviews, which have been leveraged to prevent production on discriminatory and exclusionary grounds;⁵⁰ and tax code provisions, which incentivize existing homeowners to restrict new development to boost personal wealth.⁵¹ And the resulting lack of new and available housing, particularly in high-opportunity areas,⁵² leads to displacement, as those with higher-paying jobs move in and overtake markets.

Meanwhile, there are limited policies to protect renters and low-income homeowners from this type of market competition with limited supply. Tenants in many states are not protected from drastic rent increases, lack access to legal counsel in eviction proceedings, may face no-cause evictions, and are not protected from retaliation by landlords when asserting their limited rights.⁵³ Plus, the limited supply of housing forces some tenants to live in homes in disrepair and of poor quality by allowing landlords to refrain from upgrading units, making necessary repairs, and ensuring the space is healthy, safe, and stable. The lack of renter protections and supports create a market dynamic that condones aggressive landlord practices that displace those with lower incomes, less wealth, and fewer options. Additionally, low-income homeowners are often met with a rise in property taxes caused by increased demand and rising property values but are unable to pay them due to lack of generational wealth and low income.⁵⁴



The lack of renter protections and supports create a market dynamic that condones aggressive landlord practices that displace those with lower incomes, less wealth, and fewer options.

The effects of climate change

Policies related to energy and the environment have exposed communities to displacement spurred by climate change. Overreliance on fossil fuels and other energy sources that emit greenhouse gases such as carbon dioxide have rapidly advanced climate change and global warming.⁵⁵ Scientists have concluded that climate change has caused extreme weather events to be more frequent and damaging,⁵⁶ while also demonstrating how community infrastructure and climate resilience in the United States are inadequate.⁵⁷ People are acutely displaced following natural disasters, and studies have shown that climate change disproportionately affects people of color and those with low incomes. Meanwhile, federal disaster assistance and recovery programs are insufficient and inequitable,⁵⁸ which can further drive displacement of the most vulnerable. Climate change also alters the locations and land deemed most valuable, which pushes high-income people into neighborhoods occupied by low-income residents, such as communities inland from the coast.⁵⁹

Measuring displacement and principles for adopting solutions

To prevent displacement spurred by new investment, policy needs to be informed by the local context and degree of neighborhood change. The Urban Displacement Project (UDP) categorizes census tracts by typologies of

neighborhood change, such as: not losing households with low incomes or at very early stages; at risk of gentrification or displacement; undergoing displacement; and advanced gentrification or advanced exclusion.⁶⁰ In gentrifying areas, understanding the phase of gentrification within the community can be critical to adopting the correct solutions. If ahead of gentrification, adopting inclusive development policies and increasing supply of housing for all income levels in tandem with new investments can protect communities. If gentrification is already unfolding, adopting stabilization policies can curb its harshest effects and provide time to implement long-term anti-displacement strategies.

To identify the stage and level of risk within a neighborhood, it is important to measure changes in the community using a variety and combination of indicators over time.⁶¹ Since comprehensive data to directly measure displacement do not exist, researchers have determined that using measurements of community change as a proxy can reveal, predict, or contextualize displacement. Useful indicators are those that contain timely and readily available data for analysis; include resident characteristics to reveal effects on specific groups such as race and income level; and closely correlate to the causes and effects of displacement.

Some indicators used to predict risk of future gentrification and displacement include the amount of housing affordable to low- and mixed-low-income households, greater-than-median rent increases in adjacent communities, and marginal home or rental value increases within the community. Indicators that reveal early or ongoing gentrification include rapid increase in housing costs and education level. Since some data can lag, using proxies such as Zillow estimates for mortgage and rental prices can approximate the data in real time. Indicators that can demonstrate ongoing displacement of low-income households and advanced gentrification include loss of low-income residents from consistently low-income census tracts; racial and ethnic composition of a neighborhood compared with the city or region; the racial and ethnic composition of the student body at a public school; and changes in homeownership rates disaggregated by race and ethnicity.⁶²

However, data do not always tell a complete story, and given the variety of indicators, some phases of neighborhood change may show up differently. For example, UDP uses low-, moderate-, high-, and mixed-income designations⁶³ for census tracts and only characterizes low-income or mixed-low-income as meeting the criteria for displacement, which may exclude low-income households belonging to a mixed-moderate-income or moderate-income neighborhood that are displaced or at risk of being displaced over time. Displacement is complex and requires an intersectional view of data and factors, including other socioeconomic indicators. And while each of these indicators is helpful to local policymakers, the field of data analysis and displacement is evolving, and given delays and gaps in data, there is room for further research.⁶⁴

Given displacement's wide array of causes and its pervasive effects on communities, it is critical that public policies meet the criteria required to be impactful. Policymakers should consider five overarching principles when implementing anti-displacement solutions:

- 1** Solutions should foster inclusive development, including access to high-quality job opportunities and training for existing residents.
- 2** Solutions should have the effect of stabilizing and anchoring the communities that are most vulnerable to displacement, especially communities of color and low-income communities.

- 3 Solutions should address housing affordability and focus on the cost of both market-rate and public housing, given the relationship between price increases and displacement.
- 4 Solutions should address the supply of housing to ensure that it meets current demand, anticipates future demand, and remains of good quality and resilience.
- 5 Solutions should be sustainable and scalable to last for extended periods of time, scale to meet increased pressures, and be replicated to address new challenges.

Promising state and local policy solutions

Given the prevalence of displacement and its myriad causes, no single solution on its own will be able to prevent displacement. Several policy solutions at the state and local levels have minimized and prevented displacement in communities across the United States.⁶⁵ However, given the scope and scale of the problem, in order to create positive outcomes, a combination of policies that build upon each other and meet the principles for solutions is needed. This section focuses on four categories of promising policy solutions that can be effectively implemented to prevent displacement: inclusive development, neighborhood stabilization, production, and preservation.

Inclusive development

Inclusive development refers to policies that foster community growth by providing equal access and opportunity. Promising inclusive development policies include investing in high-quality training programs, local hire mandates, and project labor agreements.⁶⁶

High-quality training programs

State and local governments should develop and invest in high-quality training programs, which include registered apprenticeship and pre-apprenticeship programs, to provide workers with credentials, work experience, and the potential for higher wages and career advancement opportunities.⁶⁷ State and local governments can leverage new funding in the Infrastructure Investment and Jobs Act (IIJA) and Inflation Reduction Act as well as existing funding and programs authorized by the Workforce Innovation and Opportunity Act to connect and retain diverse workers to infrastructure, manufacturing, and construction jobs. They should particularly focus on partnerships with high-quality programs that have proven track records of connecting workers to good jobs; graduating diverse cohorts of workers; supporting partnerships with worker and community organizations to drive accountability; and closing the racial apprenticeship gap.⁶⁸ Apprenticeship programs vary in quality, and states should look to high-quality programs such as California's High Road Training Partnerships initiative⁶⁹ and the Wisconsin Regional Training Partnership⁷⁰ as models to emulate. Through increased access to apprenticeship programs, residents of disadvantaged communities will be better included in new development projects and better positioned to realize the benefits of higher wages, employment protections, and economic stability that can come with new investment.

Local hire mandates



Local governments should enact local hire provisions to encourage or require the hiring of residents from a particular geographic location, or from a particular population such as women and people of color, to perform work or provide services on new infrastructure and development projects.⁷¹ City councils and local governments can set minimum percentages of residents who should be employed through public works, construction, or other projects that are funded within the community. These policies can increase the number of residents who enter apprenticeship programs and retain high-quality jobs related to public investments and projects. Similar provisions can specify a certain percentage of jobs that should be utilized by those who have completed apprenticeship programs to further encourage uptake of training programs, provide job experience for new workers, and create pathways for career growth and economic stability. Cities such as San Francisco have implemented local hire mandates.⁷²

Project labor agreements



State and local governments should utilize project labor agreements (PLAs) and community workforce agreements (CWAs) to establish wages, benefits, and other terms of employment for state-funded projects. When used by state and local governments, PLAs and CWAs can uphold safety standards for workers, ensure better wages, and prioritize hiring of local workers from historically disadvantaged communities.⁷³ CWAs, also called community benefits agreements, can go even further to align labor and community interests by contractually connecting employers and unions with local community organizations.⁷⁴ New York, Maryland, Connecticut, and Washington all require in-state renewable energy projects to enter into agreements that require contractors to meet certain labor standards.⁷⁵ And cities such as Los Angeles⁷⁶ and Portland, Oregon,⁷⁷ use PLAs to diversify their workforces and ensure people from disadvantaged communities and people of color are included in the workforce for public projects.

Neighborhood stabilization

Neighborhood stabilization refers to policies and strategies that change conditions to allow residents to remain in their neighborhoods. Promising neighborhood stabilization policies include community land trusts, right of first refusal, renter protections, and rent control.

Community land trusts

Local governments should support and invest in community land trusts (CLTs) that acquire and manage land upon which affordable homes can be developed or preserved for low- and moderate-income residents to own or rent. Since the trust retains ownership of the land beneath the building and leases it to residents or a rental entity for a nominal cost,⁷⁸ this partnership allows homes to be purchased at affordable prices and includes mechanisms to retain affordability through resale caps for future owners and right of first refusal for renters. Local governments should work with CLTs to actively pursue and acquire abandoned, tax-delinquent, or foreclosing properties to be used for housing. Typically, local governments can identify sites with high potential, such as transit-oriented neighborhoods, high-cost areas, and currently gentrifying areas, which gives the residents, who share ownership equity of the home, the opportunity to build wealth. This more manageable access to economic mobility can, in turn, protect residents from displacement by providing a bottom-up solution to neighborhood stabilization as they root the power and decision-making in community and its members. As of 2021, there were only 260 CLTs across the United States, highlighting a large opportunity to increase and scale.⁷⁹ State and local governments should increase CLT capacity management through funding and technical assistance grants to help expedite scale.

Right of first refusal



Local governments should develop a right-of-first-refusal or tenant-opportunity-to-purchase policy, which provides tenant groups the right to purchase an apartment unit that is being put up for sale or being transformed into a condo by the owner, before it hits the market. This right is typically provided to qualified nonprofit organizations with the intent to keep current tenants housed and to prevent disruption of residence. Local laws have been implemented in Washington, D.C.,⁸⁰ and in San Francisco⁸¹ that provide the opportunity to purchase or counter-offer purchases of properties. To be successful, community-based organizations require support from the local government through investment and capacity-building funding to serve the communities they wish to stabilize. Washington, D.C., enacted the first tenant-opportunity-to-purchase law in 1980, and a study showed that it preserved nearly 1,400 units of affordable housing from 2003 to 2013.⁸²

Renter protections



State and local governments should bolster renter protections to shield tenants from discriminatory or harmful practices by landlords and management companies, support a tenant's ability to negotiate with landlords, and restore equity and justice to the housing market. Just-cause eviction protections can limit the grounds on which a landlord can evict a tenant, typically to nonpayment of rent, intentional damaging of the unit, and other noncompliance with lease terms. These policies also create the legal procedures that a landlord must follow to evict a tenant. Meanwhile, tenant advocacy programs provide free information to tenants about their rights and responsibilities, referrals to legal service providers, and resources to organizations that provide housing support. These programs are critical to ensure tenants understand their rights and resources when dealing with a landlord, including discrimination protections, safety and code enforcement, denial of essential services, and illegal eviction prevention, each of which can lead to displacement. Right to an attorney in eviction proceedings provides a tenant who is issued an eviction notice the right to a defense counsel in court eviction proceedings to help navigate the procedure and advocate on their behalf. In eviction cases across the country, 90 percent of landlords have legal representation in eviction proceedings, compared with just 10 percent of tenants.⁸³ One Detroit study estimated that 90 percent of tenants who have an attorney present during eviction proceedings avoid being displaced into homelessness.⁸⁴

Rent control



States and local governments should enact rent control and rent stabilization policies that cap the amount by which landlords and management companies can increase the price of a residence each year. This protects residents from exorbitant rent increases that they are unable to afford. However, when considering rent control and stabilization policies, it is important to understand short-term and long-term effects. In the short term, it can protect tenants from displacement in a quickly gentrifying area by capping the rise in rent costs.⁸⁵ But in the long term, it can make the market more costly and more gentrified for those who are not in rent-controlled units. Therefore, rent control and stabilization policies should be coupled with housing production strategies that can decrease pressures and demand on these units to help lower total and average housing costs. Five states and Washington, D.C., currently have rent control and stabilization laws, while 37 states have laws that ban the practice.⁸⁶

Production

Production refers to policies and strategies that increase both market-rate and public housing supply. Promising production policies include adopting inclusionary zoning regulations, using housing trust funds to build in communities of color, and upzoning in wealthier communities.

Inclusionary zoning regulations



Local governments should develop inclusionary zoning regulations that require and incentivize new housing developments in cities and localities to mandate a portion of the new units be reserved for those with low or below-median incomes. These set-aside amounts can ensure that as new units are constructed to meet demand, they include people within the community that would otherwise be unable to afford the market rate. Incentives typically include expedited permits and approvals; relaxed parking and design requirements; and tax incentives or subsidies. However,

while some units of the new development are affordable, it remains a limited share, revealing that inclusionary zoning alone will not prevent long-term displacement. In an analysis of the 40 largest U.S. cities, only 13 had mandatory inclusionary zoning laws.⁸⁷ Ten states explicitly permit inclusionary zoning policies, while seven states ban cities from implementing such a law.⁸⁸

Housing trust funds



State and local governments should develop and invest in housing trust funds (HTFs) to fund and support the preservation and production of affordable housing for low-income residents. Typically funded through property taxes, matching funds, or other enabling legislation, HTFs can finance construction of affordable housing developments in communities to support supply. And the need is large: The United States has a shortage of about 7 million units that are affordable to people with low incomes.⁸⁹ Typically, HTF grants target extremely low-income households and specify the amount of funds that must go to each low-income group and for how long. The focus of HTFs on low-income households and the committed source of funding outside annual appropriations make them strong anti-displacement vehicles when coupled with robust funding levels. Forty-seven states have HTFs,⁹⁰ along with about 605 local HTFs,⁹¹ with combined total revenues nationwide exceeding \$2 billion.

Upzoning policies



Local governments should upzone in wealthier communities, which allows multiple housing units to be built on a single plot of land. In most wealthy communities, strict zoning restrictions prevent this type of construction, which makes it harder to build new housing in wealthy areas.⁹² These restrictions can limit supply, which pushes downward demand pressures on other areas within the same city or county and spurs gentrification of less wealthy, less developed, and less regulated communities. Upzoning in wealthier communities can help increase total supply and help limit displacement of other less wealthy communities in the process. In addition, building higher-density housing through upzoning is good for social and economic diversity as well as for climate resilience.⁹³ Minnesota

became the first U.S. city to upzone entirely in 2018, with its law preventing any neighborhoods from implementing exclusively zoning for single-family homes.⁹⁴

Preservation

Preservation refers to policies and strategies that ensure current housing stock is not lost and remains of sound quality. Promising preservation policies include subsidized affordable housing rehabilitation, preservation of unsubsidized affordable housing, and measures to strengthen community resilience.

Affordable housing rehabilitation

State and local governments should support affordable housing rehabilitation to preserve the longevity and use of affordable housing by low-income residents. The federal government shifted from construction of public housing, which started during the Great Depression through the Housing Act in 1937, to private development of affordable housing in the 1970s due to cost; under the new model, the government requires that demolished subsidized units be replaced on a one-to-one basis if developers build new construction in their place. The Rental Assistance Demonstration (RAD) program is a joint effort by public, nonprofit, and private organizations to rehabilitate and operate preserved sites.⁹⁵ Updates include repairing leaky roofs, fixing or replacing broken appliances, removing toxic mold, and alleviating other hazardous and inefficient issues. During the rehabilitation process, any residents who are displaced as a result of the conversion retain a right to return as well as other protections afforded under the public housing authority.⁹⁶ As of February 2022, 155,000 of the 958,000 units of public housing nationwide—or 16 percent—have been converted using the RAD program, while 455,000 had been approved for conversion.⁹⁷

Preservation of unsubsidized affordable housing

State and local governments should also support the preservation of naturally occurring affordable housing (NOAH) units, or unsubsidized units. This is particularly critical, as they account for most affordable housing in the United States.⁹⁸ NOAH properties are ordinarily owned by individual landlords, as is the case with 76 percent of those in Los Angeles County.⁹⁹ Displacement typically follows when owners sell NOAH properties to management companies, developers, or others who seek to refurbish the property and raise rents. State and local preservation strategies that center renters and current owners can effectively combat this cycle and preserve affordability. Grant and low-interest loan programs for energy efficiency and functional upgrades can preserve current ownership and keep the housing safe, healthy, and affordable for the renter. The Small Building Program in Washington, D.C., for example, provides maintenance grants for small property owners to improve conditions through maintenance repairs and includes an affordability covenant that restricts the maximum allowable rent and income eligibility limits per household.¹⁰⁰

Measures to strengthen community resilience



State and local governments should strengthen community resilience through initiatives that preserve housing amid the harsh effects of climate change, natural disasters, and severe weather. This includes policies that redesign communities and infrastructure to build in ways that reduce flood, extreme weather, and pollution risks, all of which can displace residents.¹⁰¹ Some community resilience strategies include: expanding parks, green spaces, and tree canopy to reduce flooding and extreme heat risks; promoting community-owned solar power; expanding clean, rapid, public transit; designing bike- and pedestrian-friendly neighborhoods to curb pollution; building infrastructure able to withstand extreme heat; implementing home energy efficiency improvements; and making energy efficiency investments through public-private partnerships. According to U.S. Conference of Mayors data as of 2018, 65 percent of cities use renewable energy for municipal operations, and more than 125 cities pledged to transition their communities to 100 percent clean energy as early as 2030.¹⁰² And as of November 2020, 225 local government fleets committed to more than 3,800 electric vehicle transitions by the end of 2021.¹⁰³

How the federal government can facilitate these policies

State and local policies across inclusive development, neighborhood stabilization, production, and preservation are each critical to preventing displacement, and a comprehensive combination of these policies is necessary to achieve the strongest results. However, the federal government has incredible influence over new investments in infrastructure, climate, and environmental justice initiatives through its authority to award grants, fund projects, and approve applications. Given these levers, it should prioritize and incentivize state and local programs that incorporate anti-displacement measures in their policies where possible.

Proposal reviews and scoring rubrics could be weighted to prioritize those that include anti-displacement measures, particularly for larger infrastructure projects and development proposed in disadvantaged communities of color. One example is to include community benefits agreements as a rubric criteria for individual projects that use competitive grant funding, which would ensure that projects with an equitable approach to workforce development receive priority.¹⁰⁴ Another measure is to assess and select infrastructure proposals for competitive grants by their equity goals and metrics included in their applications, such as analyzing degree of neighborhood change as a proxy for displacement.¹⁰⁵ Transportation grant programs could also require state and local government entities to demonstrate progress toward meeting regional housing needs by prioritizing measures such as zoning code changes and local funding of affordable housing production in areas identified for infrastructure projects.¹⁰⁶

Federal agencies, such as the U.S. Department of Transportation and the U.S. Department of Housing and Urban Development, can also coordinate grants for public transportation and housing development by encouraging applicants to braid funds. These agencies could ask those submitting proposals to demonstrate how programs would improve residential and transportation outcomes simultaneously,¹⁰⁷ which was an effective approach at reducing displacement and increasing economic mobility for underserved residents in Minneapolis and St. Paul, Minnesota.¹⁰⁸ In addition, given the codification of the Minority Business Development Agency through the IIJA,¹⁰⁹ the federal government should conduct oversight to ensure new state and local bidding opportunities are accessible to minority-owned businesses and that minority-owned businesses are being awarded new projects.

Conclusion

As the United States directs historic amounts of investments and resources into disadvantaged communities through the Justice40 Initiative, the IIJA, and the Inflation Reduction Act, federal, state, and local policymakers must ensure investments are implemented in ways that mitigate displacement. Without intervention, displacement and its devastating effects will continue to harm vulnerable communities. Enacting local measures that protect residents from displacement is crucial to creating inclusive, healthy, and climate-resilient

communities where all people are given the opportunity to prosper. Through policies that foster economic opportunity for residents, stabilize racially diverse and historically disadvantaged neighborhoods, address housing affordability, ensure a quality supply of housing, and are effective and scalable over time, communities will have more opportunities to thrive and benefit from these historic investments.

Acknowledgments

The author would like to thank Edwith Theogene, Lily Roberts, Arohi Pathak, Michela Zonta, Shannon Baker-Branstetter, Cathleen Kelly, Marquisha Johns, Jill Rosenthal, Stephanie Bailey, Karla Walter, Kevin DeGood, Mara Rudman, Emily DiMatteo, Caroline Medina, Lorena Roque, Nicole Lee Ndumele, Jarvis Holliday, Shanée Simhoni, and Tymoni Correa-Buntley for their thoughtful contributions to this report.

Endnotes

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