EQUITABLE ELECTRIFICATION IN PUBLIC HOUSING
LEGAL TECHNICAL ASSISTANCE

- Legal Research
- Policy Development, Implementation, Defense
- Publications
- Trainings
- Direct Representation (not available)
- Lobby (not available)
GAS IS GREAT RIGHT?
WRONG

Byproducts

• Carbon dioxide
• Nitrogen oxides
• Carbon monoxide
• Particulate matter
• Volatile organic compounds ("VOCs") such as formaldehyde
GAS IS GREAT RIGHT?  
WRONG

Methane & Carbon Dioxide
• Residential and commercial buildings = 40% of U.S. energy use
• Building sector = 13% of GHG emissions nationwide
GAS IS GREAT RIGHT?  
WRONG

Nitrogen Dioxide

• Peak NO2 from cooking can be 375 to 673 ppb
  – Outdoor EPA standard is 100 ppb
• Childhood asthma trigger
• Adult cardiovascular disease
GAS IS GREAT RIGHT?
WRONG

Carbon Monoxide

• Leading cause of nondrug poisoning deaths in the United States
• At least 11 deaths in HUD housing alone since 2003

Particulate matter and VOCs

• Irregular heartbeat
• Heart attack
• Asthma
• Decreased lung function
• Even premature death in people with heart or lung disease
INDOOR HEALTH RISKS
PUBLIC HOUSING

- U.S. residents spend approx. 87% of their time indoors
- Upper-level apartments have higher pollutants
- Smaller living spaces mean higher pollution levels
- Supplemental heating
- High baseline outdoor pollution
ASTHMA AND PUBLIC HOUSING

Three Main Factors Why Children Are More Susceptible to Illnesses Associated with Air Pollution than Adults

- Higher breathing rates and greater levels of physical activity
- Higher lung surface to body weight ratios and smaller bodies
- Immature respiratory and immune systems

Source: https://rmi.org/insight/gas-stoves-pollution-health
ASTHMA AND PUBLIC HOUSING

Health Effects of Nitrogen Dioxide (NO₂) in Children May Include:

- IQ, Learning Difficulties
- Irritated Airways
- Increased susceptibility to lung infections
- Increased risk of childhood asthma (current and lifelong)
- Aggravated respiratory symptoms (wheeze, cough, chest tightness, difficulty breathing)
- Depleted tissue antioxidant defenses (which protect the respiratory tract)
- Changed lung function
- Cardiovascular effects
- Increased susceptibility to allergens

Source: https://rmi.org/insight/gas-stoves-pollution-health
FIRE RISK

• Cooking fires:
  – leading cause of home fires and home fire injuries
  – second leading cause of home fire deaths
PUBLIC HOUSING 101

• Public housing is a federally created and funded program.
• The properties are owned and managed at the local level by quasi-governmental public housing authorities (PHAs) under contract with the federal government (HUD).
• Federal funding comes from two main sources—the Public Housing Capital Fund and the Public Housing Operating Fund. Both sources are meant to supplement the rents collected by PHAs to meet the operation, maintenance, and capital needs of public housing. PHAs may also apply for outside grants.
• The programs are governed in part by federal rules and regulations and in part by policies set at the local level.
• Public housing can be restricted to certain demographics (55+, differently abled, etc.).

24 CFR § 960
HOW MUCH DOES IT COST?

• Families who live in public housing generally pay rent equal to 30% of their adjusted gross income.

• Ideally, average rents paid by public housing families should lag substantially behind private market-rate rent.

• Rent can be $0, however some public housing agencies may impose rent minimums.
PUBLIC HOUSING EXAMPLES

Public housing properties themselves can be high-rise buildings, low-rise buildings, scattered site properties, and even part of mixed-income housing developments.

High-Rise Minneapolis, MN

Low-rise Chicago, IL

Scattered Site Home - Appleton, WI
ROLE OF PHA

• Assure Compliance with leases
• Set charges (damage deposits, fines, etc.)
• Perform periodic reexaminations of the family's income annually
• Transfer families from one unit to another
• Manage/correct over/under crowding
• Repair or renovate dwellings
• Terminate leases
• **Ensure decent, safe, and sanitary conditions***
TRENDS IN PUBLIC HOUSING

Construction and acquisition of new public housing units effectively ended after the federal government stopped funding new developments in the mid-1990s.

There are approximately 970,000 households living in public housing units, managed by about 3,300 Housing Authorities.

PHAs in the Northeast and South were the most aggressive in developing public housing. These two regions account for 73 percent of all occupied public housing units but only 54 percent of all renters.

Public housing is more prevalent in central cities than in suburbs.
At a glance……..

• 55% of Public Housing Residents live in Public Housing for more than 5 years.

• 36% of Public Housing Residents are between 0-17 years old.

• 30% of Public Housing Residents are between 51+ years old

• 75% of Public Housing Residents are BIPOC

(HUD Resident Characteristics Report, March 2022)
WHY PUBLIC HOUSING?

• Public housing is a somewhat closed universe.
• Public housing residents are often forgotten or excluded from federal programs.
• Our petition is an equity measure.
• Housing Crisis: Section 8 vs. Public Housing
RESIDENT ENGAGEMENT

- Information Gathering (identifying EJ organizations working on electrification, meeting with PHAs, etc.)
- Organized engagement/outreach plans (survey vs. focus groups)
- Meeting with Residents
- Placing resident concerns and perspectives into petition
ENGAGEMENT IN ACTION!

DO YOU USE A GAS STOVE?

PARTICIPANTS NEEDED FOR HEALTHY HOUSING FOCUS GROUP

Refreshments will be served and participants will receive a $50 gift card.
For more information, email publichealthlawcenter@mitchellhamline.edu.

SATURDAY, OCTOBER 15

CHICAGO PUBLIC LIBRARY
ALTGELD BRANCH
955 E 31ST ST
CHICAGO, IL 60627

SESSION 1: 10-11:30 AM
SESSION 2: 1-2:30 PM

PUBLIC HEALTH LAW CENTER
at Mitchell Hamline School of Law

10/11/2022 22
PETITIONING HUD FOR ACTION!

OUR GOALS

- Improve indoor air quality
- Increase climate preparedness & resiliency
- Stop federal gov't from bankrolling fossil fuels
- Reduce energy burden
PETITIONING HUD FOR ACTION!
OUR POLICIES

• Label residential fossil fuel-fired appliances physical condition deficiencies
• Mandatory green physical needs assessments
• In-kind replacement ban on fossil fuel-fired systems
• Holistic health & energy audit requirements
PETITIONING HUD FOR ACTION!
OUR TOOLS

"the right of the people. . . to petition the Government for a redress of grievances"

"Each agency shall give an interested person the right to petition for the issuance, amendment, or repeal of a rule."

Administrative Procedure Act, 5 USC § 553(e)
PETITIONING HUD FOR ACTION!
OUR TOOLS

Administrative Procedure Act,
5 USC § 555(b)

“[W]ithin a reasonable time, each agency shall proceed to conclude a matter presented to it.”
PETITIONING HUD FOR ACTION!
OUR COALITION
PETITIONING HUD FOR ACTION!
OUR POLICIES

- Mandatory cooling
- Ensure utility allowances accurately reflect usage
- Increase transparency around utility allowances
- Address other sources of indoor air pollution (mold, pests, etc.)
PETITIONING HUD FOR ACTION!
OUR POLICIES

• Require climate forecasting and preparedness in Consolidated Plans
• Prohibit CDBG, HTF, and HOME money from funding fossil fuel infrastructure
• Phase out fossil fuels in a scheduled manner w/ exceptions for cold climate zones
PETITIONING HUD FOR ACTION!

OUR APPROACH

• Do our own thing—Follow agency procedures
• Amplify, educate, engage (commenting opp soon!)
• Connect people to resources
• Direct IRA implementation
  • High Efficiency Electric Home Rebates Act
  • Environmental & Climate Justice Block Grants
  • Affordable Housing Provisions
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