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Thank you for having me testify today on Housing Scarcity and Contemporary Homelessness. I am the Anti-Poverty Fellow at the Villanova University Charles Widger School of Law, and the Founder and Executive Director of Student-Run Emergency Housing Unit of Philadelphia, also known as SREHUP. I have worked as a housing advocate in Philadelphia for over a decade but have recently been called to the suburbs of Philadelphia to work on housing and homelessness in pockets of our state that have been long under-resourced. I am in the process of opening a homeless shelter in Upper Darby, Delaware County and in fact, I just settled on our new property this morning before this hearing. Working to open this shelter has exposed me to the massive gaps in the housing and homeless resources in Philadelphia's suburbs.

- On Saturday, Feb. 5th I found a mother and her three-year-old baby sleeping in a car with broken windows. The mother expressed a desire to go into shelter. I advised the mother to go to Community Action Agency (CCA) which is Delaware County's centralized shelter intake provider, so she could be placed in a shelter.

At CCA shelter intake the mother was told that there were no beds available in the Delaware County family shelters.

- I called the director of Delaware County's shelter outreach who made some calls and was able to get a room reserved for the mother and her son at Delco's Family Promise shelter, which is a privately funded shelter.
- When the mother returned to CCA she was eventually told that indeed Family Promise did have space and the mother and her three-year-old son would be placed there.
- About an hour later (4:15pm) I received a call from the mother at Family Promise who told me she was being denied admission into Family Promise.
- The mother put me on the phone with staff at FP and the staff member confirmed she was not admitted into the shelter despite having beds available for them.
- The staff member told me there were two reasons that the mother was being denied entry: 1. The mother had outstanding fines totaling \$850 which needed to be paid to remove the warrants on her record. and 2. She was given a urine test which showed marijuana in her system.
- The staff member told me these are shelter wide policies that come from shelter management and the board of directors. I later spoke to the shelter management and board who confirmed this policy.
- I asked the staff person to send the mother back to the Community Action Agency so she could at least get a hotel or motel voucher for the night, but by that time CCA was closed.
- So Family Promise discharged this mother and three-year-old baby to the streets.
- The next day I went online and paid off all her fines and warrants- totalling \$850, which FP told me was the financial barrier to accessing shelter.

- This mother and her baby are still unhoused and sleeping in a car.

When I asked the county director of shelter services about the county's homeless shelter intake policies I was told "The shelters we fund do screen for substances and warrants at entry. If a person tests for more than three substances, marijuana not included, the person is referred to treatment and shelter is not provided. If it is a person with a child, Child and Youth Services is contacted. All positive urine screenings, including marijuana, require a person to attend a drug and alcohol assessment and to follow through with treatment. A person would not be denied admission if they had active warrants, but they would be required to actively resolve the warrants through a payment plan and/or if necessary, turning themselves in." In addition to these barriers, the Delaware County Department of Human Services mandates that anyone served in Delco shelters must have an ID that proves delco residency. They also deny shelter access to people released from George Hill Correctional Facility, Delaware County's Prison. There are limited re-entry services for people exiting prison in Delaware County, and approximately 10% of all inmates are unhoused. When unhoused inmates are released, and the no county shelters serve this population, former inmates end up back on the street, which leads to high rates of recidivism in Delaware County, and also poses a public safety risk.

Shelters are most often the gateway to housing services and vouchers. If homeless shelters have high barriers to access, housing will therefore be nearly impossible. If homeless shelters are gateways to family removal, incarceration, or forced treatment (and for marijuana) our most vulnerable neighbors will never be comfortable going inside for shelter. The policy leads to death and chronic homelessness.

The director of Community Action Agency, the non-profit that is in charge of Delaware County's centralized homeless intake center, told me that their drug screening policies are strict because their funders demand it. He also told me that there are often not enough beds to place everyone in need, so unhoused people are often sent to the State of Delaware. This was confirmed to me by two other people, including the person who works for the county and is responsible for driving unhoused people over the state border. The outreach worker told me he drops people off at the front door of Sunday Breakfast Mission in Wilmington Delaware. I asked him if Sunday Breakfast Mission minds taking in unhoused people from out of state, and he told me he doesn't know how they feel because his county supervisor directed him to drop people off at the front door and leave. Last weekend, I met Desiree Murphy, the director of a non-profit food pantry in Delco. Desiree's daughter was recently in need of homeless and housing services. Her daughter went to the Community Action Agency but was told that there were no services in Delaware County. She was taken over the state border into Delaware. At the end of the day, there were no shelter beds available in Wilmington Delaware for Desiree's daughter, and she was stuck far from her home with no way to get back to Delaware County.

Last weekend I found a stray dog running in traffic in Chester City, Delaware County. I called Delco Animal Control to pick up the pup, but was told that Delco Animal Control is a private non-profit, the county doesn't have any animal control, and the non profit animal control does not serve Chester City, despite it being within the county borders. The person I called told me to call the police instead. When the police arrived, they told me that when they find stray animals they pick them up and drive them over the state line into Delaware.

Delaware County has systematically been shipping both unhoused people and animals out of state to avoid providing necessary services in the county.

### **Homelessness is Increasing, and the Homeless Census Deflates the Real Numbers**

The pandemic has led to a ten-fold rise in tent encampments, shelters are at maximum capacity, and

evictions have skyrocketed since the end of the rent moratorium.

You know homelessness is not decreasing when you read that rents have tripled in the last few years while wages have been stagnant. If signs of homelessness are all around us, how is it that counties, states, and the federal government asserts that homelessness is on the decline? It's a lie, masking the devastating truth that we are not living up to our ideals and values. In Philadelphia, more than 56% of school-age children live in poverty - yet the Philadelphia district identified just 4.4% students experiencing homelessness. High poverty rates indicate increased numbers of students experiencing homelessness. But Philadelphia isn't just undercounting it's students. It's undercounting all homeless. Overall, Philadelphia claimed that in 2021, both sheltered and unsheltered populations saw 24% decline as compared to the 2020 homeless count. This is during a time when a quarter of all Philadelphians live below the poverty line. According to Pew research, Philadelphia's poverty rates have remained largely unchanged over the last five years. The United States Department of Housing and Urban Development reports that nationwide, homelessness has decreased by nearly 10% over the last decade- the same decade that has seen housing costs increase by 42% while wages have remained stagnant. HUD oversees an annual count of the country's homeless population every winter. This count, we are told, determines how much federal funding it will give the city for various outreach programs, and it helps the city see where to direct its efforts to get people into shelters and even apartments. The count takes place at night, relying on thousands of volunteers nationwide who are often equipped with nothing more sophisticated than clipboards, pencils and flashlights. It takes place in the last 10 days of January across the country every other year- when many homeless people are huddled for warmth under freeway underpasses or inside cars. This naturally leads to an undercount. Contributing to the undercount are the count methods. Volunteer counters are often instructed to ONLY count people who are asleep or "bedded" at 11pm, and who were not engaged in any illicit activity, such as public urination or drug consumption. The count also misses the people who are hiding in abandoned buildings, cars, or couchsurfing, which is the majority of homeless families, and the majority of all homeless total. In 2021, flyers were circulated in the city asking people who were homeless to "call in" to a hotline to be counted. These call-ins were the main conduit for the city to "estimate" its rate of homelessness. Experts believe that the real number of unhoused is up to 100 times higher than the number the homeless count yields. The count was, in fact, never meant to be accurate. The national homeless count emerged at the same time as Ronald Reagan weakened the safety net - the budget for low-income housing assistance was cut in half during his first year in office. The count has not only been created during a time of cuts to services and an increase in homeless it has endured in the years since- when there has been a rise in the number of Americans living on less than \$2 a day. The count has been used to cover up these cuts, and to convince the public that the problem is not nearly as immense as it actually is. The undercount enables us to cut back on services. If we were given the information- that homelessness is a national pandemic, that it is rising for every group, especially working families, that there are not enough shelter beds for all unhoused people, we would be forced to do something about this. But when we are told that the numbers are decreasing, we have more beds than we have homeless individuals- then we can justify criminalizing the unhoused and giving out fines for sleeping outside. We can claim that street homeless are "shelter resistant" and that sleeping outside is their choice. This is the mechanism used for "sweeping" for criminalizing, and for not making the necessary changes. An epidemic of homelessness shows us the gap and hypocrisy between publicly held values and the truth that's hiding in plain sight.

The real rate of homelessness tells us that there is something fundamentally broken with our systems. Homelessness to the extent we have it now has not always been with us, and it is not inevitable. It is a consequence of our systems and policy decisions.

**Housing as the Solution to Homelessness, but housing subsidies are not long enough or abundant enough.**

In 2002, University of Pennsylvania released a ground-breaking study comparing 5,000 people in with mental illness who were homeless and living on the streets of NYC with 5,000 people in the same condition who had been provided with housing through a joint city and state program known as New York/New York.[1] The results of the study changed the landscape for homelessness prevention policy throughout the country. The study revealed that the average US cities spend \$62 million a year on 2,500 people living in chronic homelessness. That's \$24,800 per person- on things like ER visits and shelter stays. Permanent supportive housing can yield a cost savings averaging more than \$7,700 per person annually. That means it is less expensive to give a person an apartment, case manager, and wrap-around services, than to allow people to live and die on the streets.

The study triggered a series of policy changes that shifted funding and support away from shelter and transitional housing- known as linear approach, and towards rapid rehousing. Rapid Rehousing is the term used to refer to the solution of placing homeless individuals and families into housing quickly- usually within 30 days of entering a homeless shelter. This assistance comes in the form of housing vouchers- a rent subsidy that covers a portion of rent and utilities to landlords. Often this financial assistance is short term- between four and six months. This is not nearly long enough to re-stabilize people who had been homeless into permanent housing, especially given stagnant wages and rising living and housing costs. There are three main components of the rapid-rehousing model: housing identification assistance, rent and move-in assistance, and case management and services.

Rapid Rehousing is not nearly long enough or abundant enough to make a dent in our homeless crisis. It also pushes people from substandard living into the shelter, because it makes the shelter the gateway to accessing the voucher. A HUD study that examined 2,307 families in 12 communities depending on the rapid rehousing model reported that the rapid rehousing was actually causing more homelessness.[3] In New York between 2005-2011, a 6-year period of time in which rapid-rehousing became the dominant model for ending homelessness, the number of families served in shelter increased from 8,986 in 2005 to 13,543 in 2011. This is because the voucher system increases shelter demand, since it is the only avenue of housing voucher. Many people who had been doubled up in rooming homes- which is illegal in most US cities, as well as people living in substandard living quarters, were pushed into the shelter with the promise of a housing voucher. But the housing vouchers they received did not lead to an end to their homelessness. In fact, recidivism rates climbed from 26% in 2005 to 49% in 2011. In those 6 years alone, New York city spent \$1.05 billion on sheltering families who re-entered the shelter system after receiving a rapid-rehousing voucher. That equates to \$1.75.4 million a year. New York was not the only community with data that pointed to the failures and holes in the rapid-rehousing model. In Mercer County between 2012-2013 53% of families re-entered shelter after their housing subsidy ended. This puts a strain on shelters, which are already underfunded, and over utilized.

### **The Key to Ending Homelessness is Reinvesting in Public Social Housing**

The key to ending homelessness is reinvesting in public social housing, rather than subsidizing the inflated real estate market. Government has disinvested in public housing since the Reagan administration, and it is currently little more than a tool for gentrification, as public housing continues to be demolished and the land sold to wealthy developers- many of whom work closely with the boards of public housing agencies.

The Delaware Housing Authority is almost non-responsive, and while it doesn't close it;s waitlist, there are thousands of people on the waitlist, and many people in need who aren't; even illegal for housing due to having a criminal record. Philadelphia's Housing Authority has been selling off land and resources at an alarming rate while it invests in the building of its grand headquarters, executive salaries, and a private police force. The Philadelphia Housing Authority's new headquarters sits on 300 parcels of land that PHA

had taken by eminent domain from North Philadelphia's poorest residents. The building has modern design, large glass windows, beautiful landscaping and spacious rooftop deck. The jewel of a building is surrounded on all sides by vacant blighted public housing. These houses were once home to Philadelphia's Sharswood residents. The proximity of the expensive new headquarters to the blighted homes illustrates the gap in wealth between PHA executives, and the people the agency is tasked with housing. Mayor Kenney described the headquarters as a jewel of a building- in fact, it is a diamond in the rough.

PHA has 40,000 people on its waitlist, and closed its waitlist to new applicants in 2013. Families who live in public housing are usually crammed into small, unsafe spaces. PHA resident, Regina Creton asked a PHA official what she should do if she needed to escape fire in her crowded PHA home that lacked enough fire exits. Regina had been voicing concerns for two years about the lack of fire escapes in her PHA owned property. If one of the overcrowded rowhomes caught fire, there are not enough fire escapes to allow all inhabitants to safely exit the building. She worried this would lead to fatalities. The PHA official told her to "jump."

There has been a steady re-allocation of public resources away from families who need safe and affordable housing and to executive headquarters, their salaries, and their developer cronies. This leads to tragedy, such as one that happened recently in Philadelphia.

Only a mile from the PHA jewel of a headquarters, and a few blocks from Regina Creton's PHA house, sat a PHA home that housed 26 people. The 8 bedroom house was bursting at the seams. There were only two fire exits. The house - as Regina Cureton had been warning- was unprepared for a fire. The two families that crowded into this PHA house were a tight knit bunch with limited resources. Still, they did their best to decorate their cramped home for Christmas.

But then tragedy struck.

It was the three year anniversary of the grand opening of the PHA's Jewel.

While the headquarters sat mostly empty, the two families cramped in the PHA home were rendered helpless when their Christmas tree caught fire.

The fire engulfed the entire duplex.

13 people perished.

8 of them were children, the youngest was a 2 year old baby. These people were unable to just jump to safety.

These deaths were preventable. When a PHA representative was asked why 26 people were crowded into a home that was meant for half its occupancy, he replied that there just aren't enough affordable houses to meet the need.

But PHA owns vacant houses, and they also have their own private police force. The money they spend keeping out squatters they could spend rehabbing their housing inventory and placing families in them.

The lack of safe and affordable housing leads to preventable tragedies like Philadelphia's house fire that killed 13 people, as well as the premature deaths of hundreds of people experiencing homelessness on the streets. These tragedies are a result of national policy and legislation that frames housing as a commodity rather than a human right. We currently commodify everything we need to survive, except air. And if private equity firms could figure out how to sell air, they absolutely would. It wasn't always like this. From

the 1940s, when President Franklin Roosevelt declared we had adopted a Second Bill of Rights, that included the right to a decent home, through the 1970s, affordable housing was within reach for all of us. Under the more recent framework of housing as a commodity, policy makers have demolished affordable housing and redistributed land to residents able to pay the ever-increasing market rate for housing. This trend was enshrined in the 2005 Supreme Court decision *Kelo Versus New London* which gave county councils the authority to acquire people's private homes, sometimes through force, and give it to private corporations for profit. US citizens were told that public good now included corporate profit, poor homeowners be damned. This is one recent law out of many that has contributed to a reallocation of housing away from the poor and to the rich.

While housing has become less affordable, wages have been stagnant for over a decade. Nearly half of all Americans make wages that don't cover their basic living expenses. It is now impossible for anyone in the US making the federal minimum wage to afford rent in a one bedroom home. In the classic story of wealth inequality, *A Christmas Carol*, Bob Cratchit makes 15 shillings a week. Adjusted for inflation, that's \$13.50/hr. That's almost double today's federal minimum wage! On today's low wages, Bob Cratchit and his son Tiny Tim would likely be homeless. 5.7 million Cratchit families are housing insecure today. We need a law to change that.

In the United States we have 4.4 million families on Public and subsidized housing waitlists. Wait times usually exceed a decade. Meanwhile, we have 4 vacant houses for every unhoused person. Most houses are consolidated in the hands of a few massive investment banks and equity firms. In Philadelphia, only 2% of all landlords own over half of all rental properties. When we have 43% of the entire nation that is housing insecure while we have empty houses, we do not have a housing crisis, we have a profiteering crisis. When 53 cents on every federal dollar goes to war while 3 cents on every dollar goes to housing assistance for the poor, we don't have a resource shortage, we have a priority crisis. These priorities are not in crisis by accident – since Ronald Reagan's presidency and his introduction of the racist trope of the "welfare queen", war spending has skyrocketed, while affordable housing funding has plummeted. It should be no surprise that housing and homelessness disparately impact BIPOC communities because of their historical (and current) exclusion from housing.

### **Ending homelessness in Pennsylvania is Possible**

Ending homelessness in Pennsylvania is possible if we shift our laws and policies away from housing as profit and towards housing as a right. Housing as a right means freedom from the cruel or unusual punishment of criminalizing homeless encampments in the absence of adequate alternatives. Housing as a right will lead to better health outcomes, because housed people are healthier people. It will lead to greater racial justice when disparately homeless and poor BIPOC are not thrown in jail or subjected to crippling fines and fees for simply trying to sleep or shelter themselves. Housing as a right means ensuring safe and affordable housing for all.

The right to housing has recently gained wide popularity. In fact, 3/4ths of Americans polled currently report that they believe housing is a human right, and 2/3s believe government programs need to be expanded to ensure the right to housing. Once thought of as radical, a housing justice movement has normalized rights-based language of housing. Housing rights advocates and social movements have won hard fought battles across the world. These include getting international bodies such as The United Nations and religious bodies such as the US Conference on Catholic Bishops and Pope Frances to call on governments to immediately implement housing as a human right. Movements in countries such as France, South Africa, and Scotland, have won the adoption of housing rights language in their constitutions or legislation. In Scotland, this right's-based language has been the backbone of policies that have made homelessness in this country brief, rare, and non-recurring.

People are also fighting this battle in every US city today. Our numbers are growing, but to be successful we need your support and action. In your we you can call on our housing authorities to direct their public funding toward home inspections and making repairs rather than building new multi-million-dollar headquarters. We can demand those we elect fight to lower rents and raise wages. We can protect renters from eviction or foreclosure and provide tenants with legal representation in the courts to enforce these protections. We can demand a just and fair allocation of our tax dollars- away from policing and profiteering and towards public housing and universal subsidized housing.

As we work to make housing a human right, there are other small fixes we can make right now to increase housing access for our most vulnerable neighbors. We can mandate inclusionary zoning, but use it as a tool in transit-rich and well resourced neighborhoods rather than low-income neighborhoods that are at risk of gentrification. We can mandate the inclusion of public housing into “special planned community preservation districts,” This would protect housing from demolition rather than repair by making developers go through a public approval process and obtain a special permit.

Existing preservation tools such as planned community preservation districts or historical preservation can be used to protect low income communities from predatory development and displacement.

We can strengthen rent control to halt housing inflation, and raise the minimum wage.

We can support community land trusts- a form of land and property tenure, where the land is owned by one not-for-profit entity, the buildings are owned cooperatively by the residents themselves; and long-term contracts restrict the sale of either the land, the buildings or the apartments for much more than the original owners paid.<sup>10</sup> In many cases, resale is restricted to households with equivalent or lower incomes than the original buyer.

We can use the tax system to make housing access more equitable and accessible. When property owners fail to pay taxes, cities can stop selling liens to speculators, and instead transfer tax-deficient properties into community land trust. Cities could pass “right to sell” bills, giving households at risk of foreclosure the opportunity to sell their home to the city, which would operate it as public housing. Cities could also institute a “right of first refusal” on home sales, where the city has a first pass at any property for sale, and can pay the seller market value for their home and convert it into social housing. Under the Maiden Lane program, the Federal Reserve purchased thousands of failing mortgages as part of its bank bailout. This was a massive, state-planned transfer of wealth to financial institutions. Wealth has been allocated away from low-income residents but allocation can be reversed so that private housing can be redirected into public and social housing.

There are many policies that the PA Senate can adopt to increase housing access and make homelessness rare, brief, and non-recurring. This will bring our state in line with our stated values of equity and justice.

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[1] Culhane P. Dennis, Metraux Stephen, Hadley R. Trevor: The Impact of Supportive Housing for Homeless People with Severe Mental Illness on the Utilization of the Public Health, Corrections, and Emergency Shelter Systems: The New York-New York Initiative, *Housing Policy Debate* (2002)

[3] Institute for Children, Poverty, and Homelessness: Rapidly Rehousing Homeless Families: New York City—a Case Study, policy opinion brief from ICPH, April 2013.

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