



HUD-certified Housing Counseling in Arkansas:

Opportunities and Challenges

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About the Author

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Introduction

In the wake of the COVID-19 pandemic and its significant economic fallout, low- to moderate-income Arkansans are having trouble keeping up with rent and mortgage payments during a time when safe and stable housing is necessary to prevent the spread of the virus. As tens of thousands struggle economically, the state's housing counseling agencies work on the front lines to help clients keep housing but face challenges worsened by the public health crisis. This report examines the impact and accessibility of housing counseling in Arkansas and finds several key challenges to expanding access, including funding, foreign language services, and increased demand for rental counseling.

Background

Housing counseling supplies financial education workshops and one-to-one guidance to help people reach and keep affordable housing, whether it is through renting or a home purchase. Among the services offered are helping clients prepare for homeownership, increase their creditworthiness, evaluate financing options, keep current on payments/rent, and avoid foreclosure. Housing counseling helps remedy the sometimes-severe information deficit homeowners have about how to evaluate the best mortgage offer for their situation and alternatives to foreclosure, such as loan modifications or forbearance. This is especially true for low-income and minority borrowers.¹ Housing counselors can also help advocate for the client with lenders and landlords to negotiate forbearance and other workarounds to prevent foreclosures and evictions.

Agencies and counselors certified by the U.S. Department of Housing and Urban Development (HUD) are regarded as those who provide trusted, independent knowledge and expertise to clients.² HUD began certifying and funding organizations to provide housing counseling in the 1970s to prevent home foreclosures.³ In the 1980s, program emphasis shifted to pre-purchase counseling to minimize risk for lenders. During the 2008 economic recession and housing crisis, foreclosure prevention became a priority once again, and counseling agencies across the country worked with more than 2 million homeowners to help many avert foreclosure on their homes. Research shows that borrowers who received housing counseling during the crisis were more than three times more likely to prevent foreclosure than people in similar circumstances that did not get counseling.⁴

COVID Pandemic and Economic Crash

In January 2020, reports began circulating about a new and contagious virus; by March, the World Health Organization declared the COVID-19 outbreak a global pandemic, and President Trump declared a national emergency on March 13. Businesses across the United States shut down in response and millions lost their jobs almost overnight.

In June 2021, the Bureau of Labor Statistics announced that the pandemic ended the longest employment recovery and expansion in the history of its Current Employment Statistics survey, with widespread, non-farm job losses totaling 10 million in 2020.⁵ The leisure and hospitality sector was the

hardest hit, with more than 3.6 million jobs lost. The highest rates of job loss were concentrated among people who make less than \$30,000 annually.⁶

In Arkansas, the unemployment rate jumped from 5 percent in March 2020 to more than 10 percent in April.⁷ Reflecting national trends, the leisure and hospitality sector in the state endured the most of job losses, which are historically the lowest-paid positions and are overrepresented by minority workers.

Before the pandemic, almost 40 percent of Americans could not cover an unexpected \$400 expense and almost half of Arkansas households had no emergency savings.⁸ In addition, almost 40 percent of rural Arkansas renters paid more than 30 percent of their income for housing and 42 percent of urban residents were rent-burdened.⁹ Without a financial cushion to buffer the effects of job losses, paying for basic needs became a crisis while people waited for policymakers to respond to the pandemic's economic fallout.

At the end of 2020, 6 percent of mortgages were in delinquency nationally, double the number of delinquent mortgages at the start of the pandemic.¹⁰ For renters, after federal eviction moratoriums expired or were overruled by the courts, Arkansas eviction proceedings filed in December 2020 increased 11 percent compared with the number of eviction cases filed in December 2019 (462 vs. 415).¹¹ Racial disparities are readily evident, with Black and Latinx households reporting being behind on mortgage and rent payments at twice the rate of whites.¹²

Policy efforts such as enhanced unemployment benefits, economic stimulus payments, and monthly Child Tax Credit advances, along with COVID vaccines, has helped the economy rebound, but the progress is slow: only half of the estimated 10 million jobs lost in the early days of the pandemic were regained as of September 2021, with almost 8 percent of Black workers and over 6 percent of Latinx workers still unemployed.¹³

Arkansas was one of the 26 states that ended enhanced unemployment benefits months before they expired, and federal eviction moratoriums have either expired or been overruled by the courts, leaving families behind on their housing payments. Third-quarter 2021 foreclosure filings in the state were up 31 percent over the previous quarter and up almost 63 percent compared with Q3 2020.¹⁴ From Sept. 15 to Oct. 11, 2021, an estimated 101,000, or 16 percent, of Arkansas renters reported not being current on their rent.¹⁵

The average homeowner or renter faces crucial information deficits as they try to navigate retaining their home. For example, there is evidence that renters did not know they could file Centers for Disease Control and Prevention declarations that they met the qualifications for the eviction moratorium or that there is a provision in the CARES Act that requires a 30-day notice period for evictions that overrides the state's three-day notice, or how to access pandemic rental assistance programs.¹⁶ As of September 30, 2021, only 15 percent of the \$201 million in federal rental assistance funds allocated to Arkansas have been disbursed, aiding 2,659 households, or 2 percent of the renters who reported not being current on their rent.¹⁷ Homeowners are less likely to be informed on foreclosure alternatives such as forbearance or loan modifications and may have difficulty working with lenders to access these alternatives.¹⁸

The Need for Safe, Stable, and Healthy Housing

Housing insecurity contributed to the spread of the coronavirus, with the homeless and those living in crowded, multigenerational households the least able to observe public health directives such as isolating the sick and observing social distancing.¹⁹ Studies conducted in the early months of the pandemic revealed that COVID infection and hospitalization rates were influenced by housing status, with those in stable housing less likely to become infected or require hospitalization.²⁰

Women, and therefore children, are disproportionately affected by evictions. During the first nine months of the pandemic, more than half of the eviction and failure to vacate charges filed in Arkansas were against female tenants.²¹ With 239,000, or 37 percent of children in Arkansas, living in single-parent households in 2019, it is likely a high percentage of women tenants also have children living in the home.²² According to a 2013 Harvard University study, renter households with children are almost three times more likely to be evicted than childless households.²³ Recent data from the Center on Budget and Policy Priorities shows 1 in 5 renters living with children are behind on their rent, with households of color the most affected.²⁴

Housing instability under normal circumstances has a direct effect on children's physical and mental health as well as educational attainment. The social isolation and unique space and broadband needs of virtual schooling in response to the pandemic worsen negative outcomes associated with housing instability.²⁵

Now more than ever, low- to moderate-income households need trusted, knowledgeable advocates that can help them navigate the often-difficult process of attaining or retaining safe, affordable housing.

Housing Counseling Study

To understand service delivery gaps and to find barriers to accessibility, this study sought to examine the current state of HUD-certified housing counseling in Arkansas through quantitative and qualitative methods.

Methodology

Southern Bancorp Community Partners (SBCP) analyzed data from three sources:

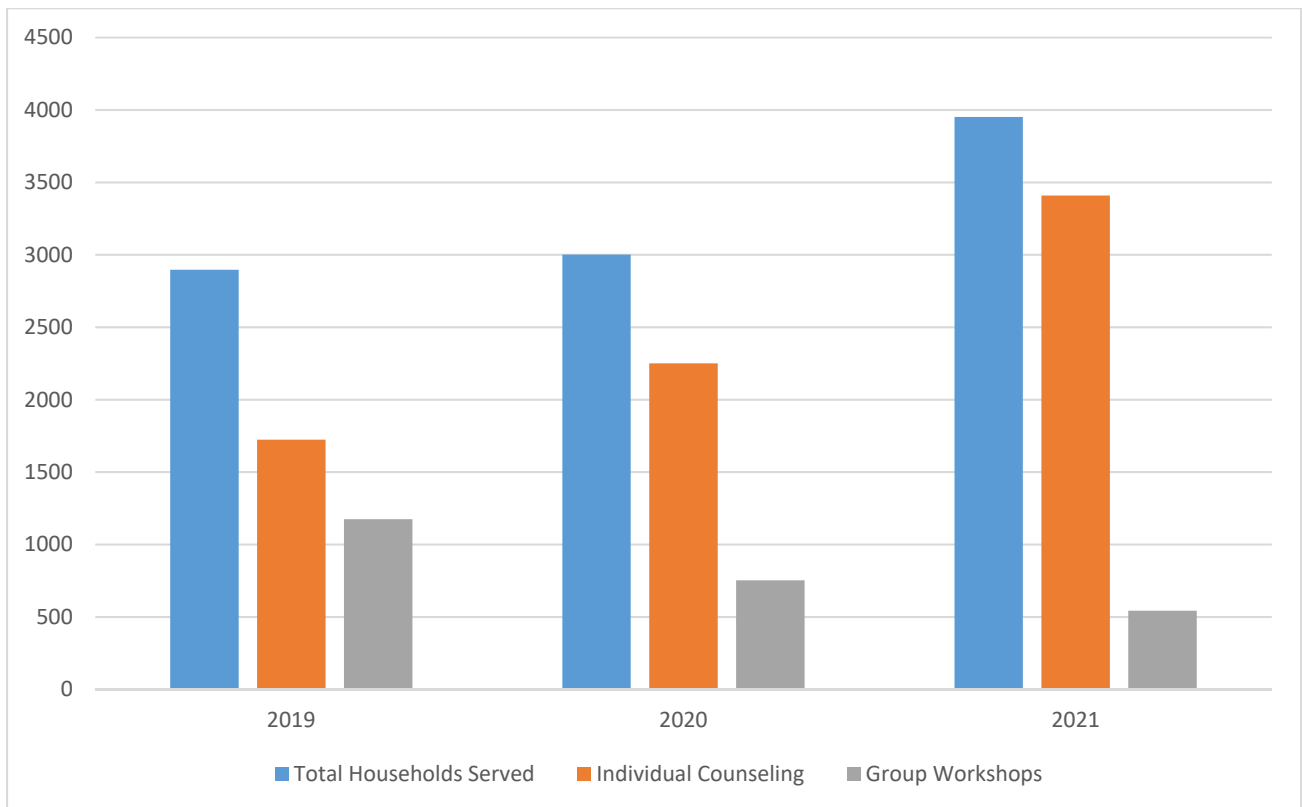
- Self-reported housing counseling agency impact data reported to HUD for Q3 2019, 2020, and 2021.²⁶ The reports were cumulative, meaning they included numbers from the first and second quarters of the year. Third-quarter data for 2021 was the latest data available.
- An online survey was developed by SBCP and sent to the 10 certified housing counseling agencies listed on the HUD website as of July 28, 2021. Survey questions were adapted from the 2006 survey of HUD-approved counseling agencies.²⁷ Four agencies responded, with three agencies completing the entire survey.

- SBCP staff conducted key informant interviews with a mortgage loan officer for a regional bank, a community activist located in a rural town in the Arkansas Delta, and an attorney for a nonprofit legal services organization.

Results

Agency impact data reported to HUD gives a snapshot of how demand for services changed because of the pandemic. As illustrated in Figure 1, overall demand for services increased modestly in the first three quarters of 2020 compared with 2019 (3,002 clients served vs 2,897 in 2019) but saw a 27 percent increase in clients in 2021 compared with 2019. The number of group workshops also decreased significantly during 2020 and 2021, as in-person meetings were canceled. The number of people taking part in individual counseling went up more than 50 percent during the same period.

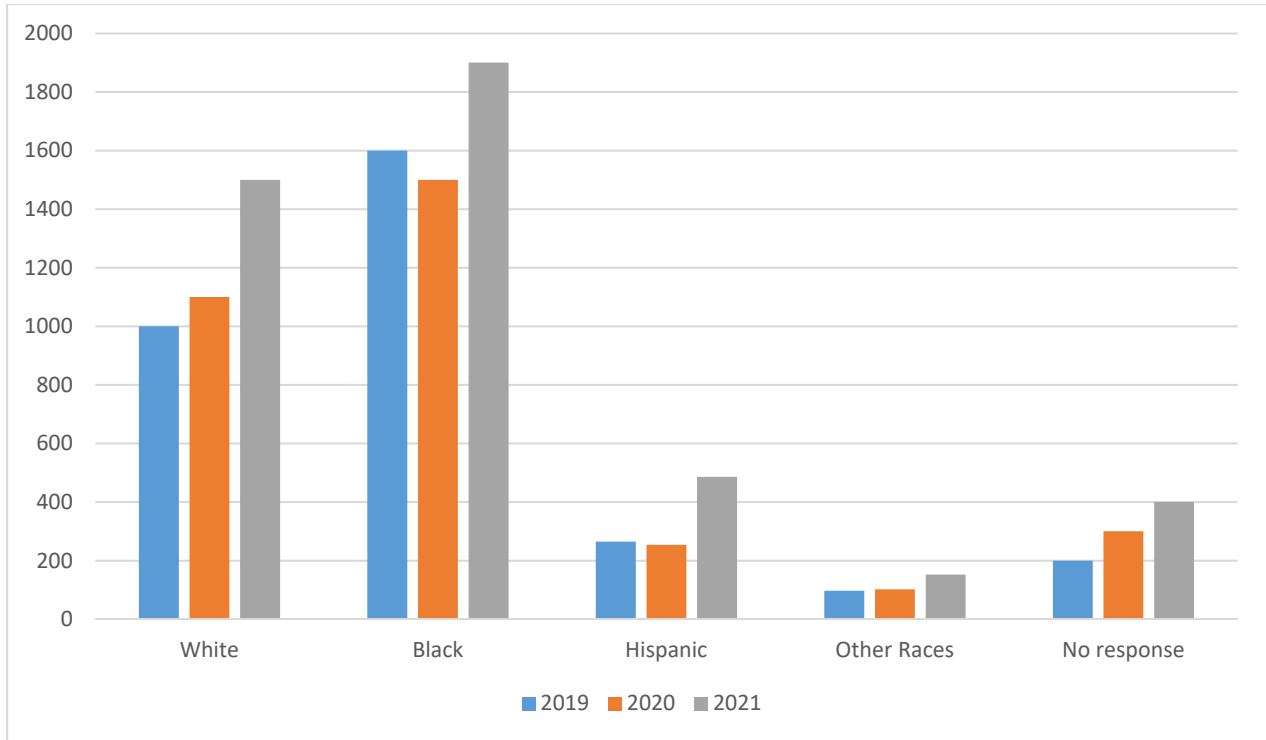
Figure 1. Number of Arkansas Households Served by Service Type, 2019-2021



Source: U.S. Department of Housing and Urban Development

While counseling use went down slightly among Black and Latinx people in 2020, use was up sharply among all races in 2021 compared with 2019 (Figure 2). Greater numbers of clients also chose not to disclose their race and ethnicity in 2020 and 2021.

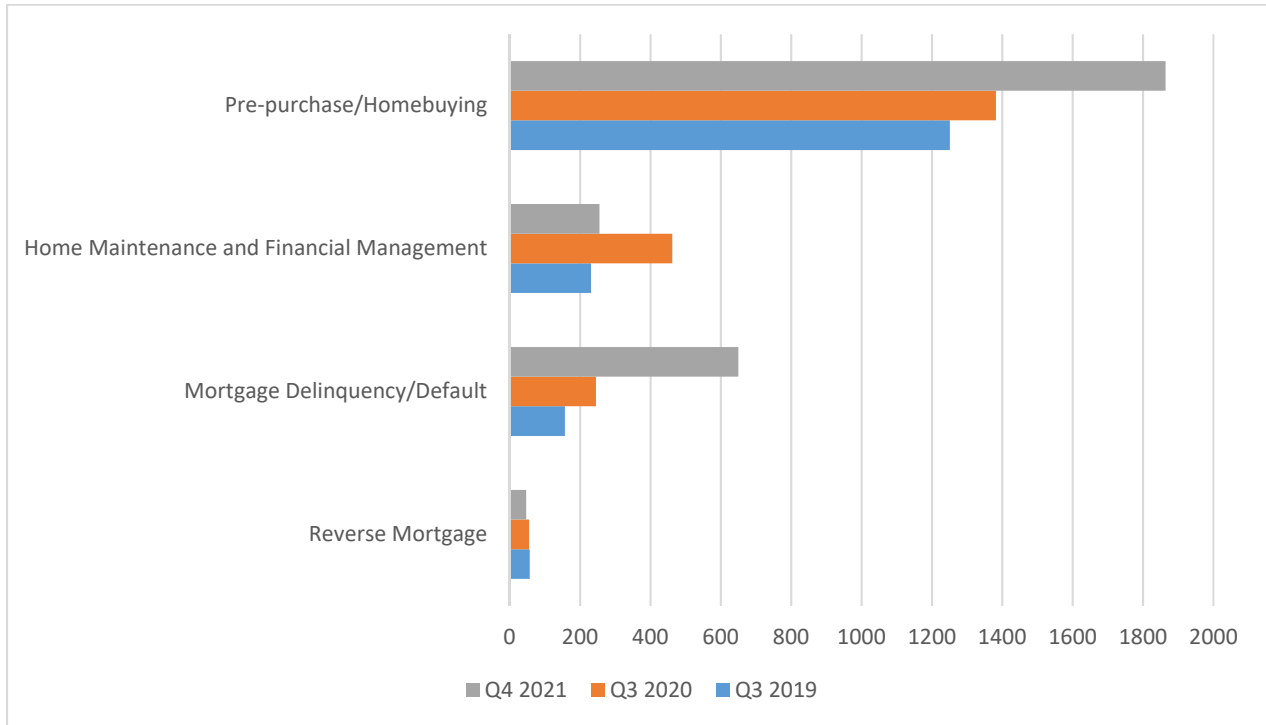
Figure 2. Households Served by Race and Ethnicity, 2019-2021



Source: U.S. Department of Housing and Urban Development

Demand for pre-delinquency, post-purchase homeowner counseling for home maintenance or home affordability went up 45 percent in 2020 over 2019 and then returned to pre-pandemic levels in 2021, while 2021 counseling for mortgage delinquency or default jumped to 650 clients from 157 clients in 2019 and 245 clients in 2020 (Figure 3). The greatest increase in demand was for pre-purchase counseling, most likely because of historic low mortgage interest rates and a booming home sales market.

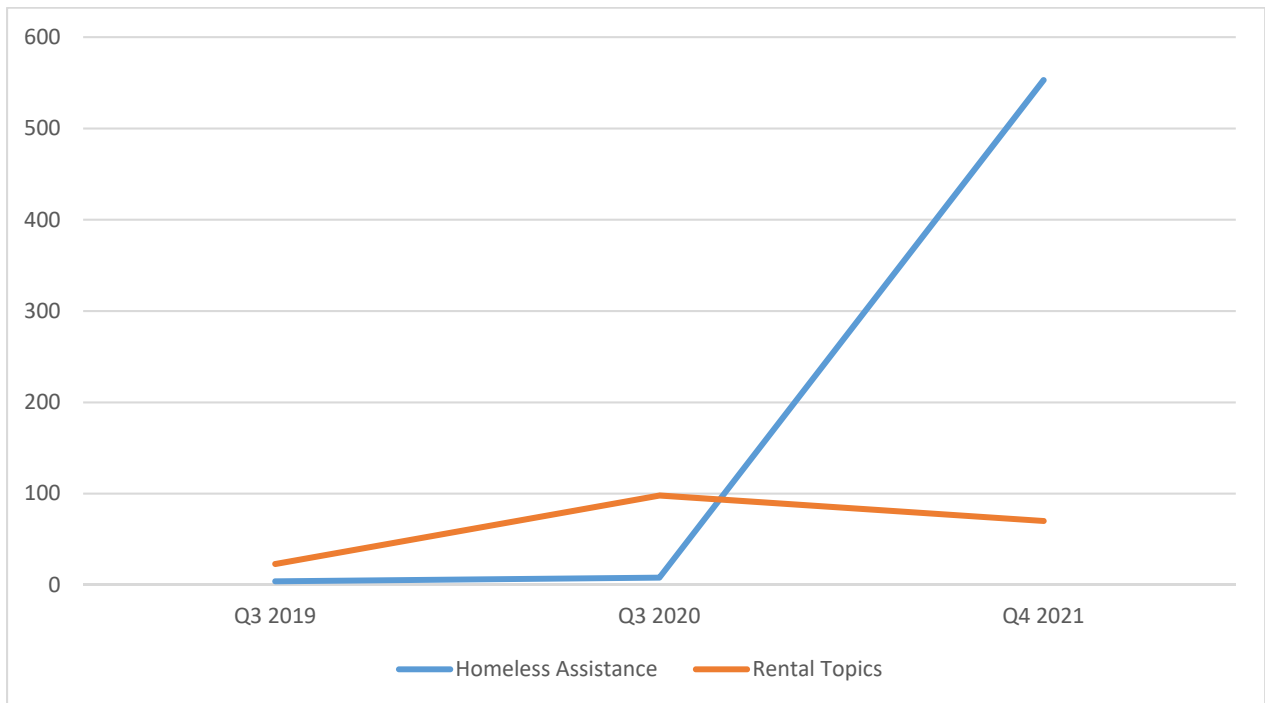
Figure 3. Number of Arkansas Households that Received Homebuyer/Homeowner Counseling, 2019-2021



Source: U.S. Department of Housing and Urban Development

The most significant increase in demand was for homelessness assistance (Figure 4). Only four clients received counseling in 2019 and eight in 2020, but 553 clients received services in 2021. Rental counseling went up as well, but only modestly compared with the increase in homelessness counseling, showing that there is a substantial need to reach renters before eviction.

Figure 4. Number of Arkansas Households that Received Rental and Homelessness Prevention Counseling, 2019-2021



Source: U.S. Department of Housing and Urban Development

Survey Results

While HUD only certifies nonprofit housing counseling agencies, the agency survey revealed variation among the participating organizations in terms of mission, services, and resources. Of the four agencies that responded to the survey, one was a certified Community Development Financial Institution, one specialized in housing counseling, one specialized in consumer credit counseling, and one provided nonprofit housing services. Two of the organizations provided services statewide, while the third provided services only to residents in one county, and the fourth provided services to residents in a nine-county area. Two agencies indicated they had a waitlist for services that ranged from one week to one month.

Three of the four agencies surveyed offered Spanish language services and one also offered services in Marshallese. The HUD website lists eight of the 10 certified Arkansas agencies as offering Spanish language services, and one agency also offers American Sign Language for the hearing impaired.

The top services offered by those surveyed were homebuyer education workshops, post-purchase workshops, predatory lending workshops, Fair Housing workshops, pre-purchase counseling, and post-purchase counseling. All four agencies indicated that homebuyer education and pre-purchase counseling

were in the highest demand, with two agencies indicating that rental counseling was also in high demand. Only one of the surveyed agencies indicated that they offered rental counseling.

In addition to housing counseling and education, the agencies provided a variety of other services, including financial literacy classes, credit counseling, down payment assistance, and debt management. Some of the agencies also provided construction management, housing development, and rental property management services.

In terms of resources, annual budgets for housing counseling ranged from \$13,655 to \$703,000, with HUD and other federal programs, private foundations, client fees, and companies and banks listed as the top funding sources. Top client referral sources were word of mouth, HUD or agency websites, financial institutions, realtors, and other nonprofits.

Counselor demographics among the agencies surveyed showed an almost even split between white and Black counselors, with seven white counselors, six Black counselors, and two counselors that identify as Latinx. Housing counselors were majority female, with 18 female counselors and four male counselors. Most housing counselors at the surveyed agencies held a four-year college degree. Of the 21 full-time and four part-time employees that assist with housing counseling, only five full-time employees and two part-time employees were exclusively dedicated to housing counseling activities.

Agencies indicated that COVID changed how they delivered services, with agencies discontinuing in-person workshops and counseling and shifting to telephone, email, and videoconferencing applications such as Zoom. Two agencies saw reduced demand for services, while one agency saw an increase in increased demand for pre-purchase, post-purchase, and rental counseling.

The agencies indicated several issues that were problematic for their organizations, with agency funding and finding for client social needs cited as extremely significant issues. Moderately significant issues cited were client retention and marketing and outreach.

Key Informant Interviews

Two themes emerged during the key informant interviews: the need for rental counseling and a lack of consumer awareness about housing counseling.

Need for Rental Counseling. As illustrated in both the agency reports and the survey, rental counseling is in higher demand because of the pandemic. By the third quarter of 2020, HUD reported that rental counseling made up almost 14 percent of the work performed by counseling agencies.²⁸

Rental counseling can be an effective tool to help renters navigate complex rental assistance programs and landlords who refuse to accept rental assistance, but there are several constraints, namely the legal complexities involved with the eviction process. Financial resources are also a barrier since funders tend to place more attention on home buying.²⁹

The attorney from the legal services nonprofit said in an interview that the organization refers clients to housing counseling agencies often for rental assistance. However, she notes there are opportunities for her staff and the counseling agencies to be better aligned.

“It seems like we’re doing a lot of the same stuff, but we don’t know each other or send people back and forth,” she said.

Consumer Awareness. All three people interviewed indicated that consumers are unaware that housing counseling is available. This is consistent with recent research from HUD that lack of awareness about housing counseling programs is a significant barrier to behavior change.³⁰

Two of the interviewees said those in rural areas are less likely to know about housing counseling because agencies are not located in their community. The community activist said the closest housing counseling agency to her hometown is a 30-minute drive away, making accessibility difficult for someone who doesn’t have reliable transportation or internet service to meet with a counselor online. For her, the lack of access speaks to larger housing issues in her community, where she said living in public housing has become intergenerational.

“To [people living in public housing], buying a house is just like winning a lottery,” she said.

“You want to reach those that weren’t aware that they could actually own a home,” the mortgage loan officer said.

It’s a sentiment echoed by the attorney, who said her organization is working with clients who have been scammed through rent-to-own, seller-financed home deals.

“I wish that more of those people were able to buy homes through conventional mortgages and stuff that maybe housing counselors could help them with instead of turning to these like, ‘Oh, I’ll never be able to buy a house through the normal way. So, I’ll just get this rent-to-own home,’” the attorney said. “I wish that they came to housing counselors instead.”

Policy Recommendations

Create Permanent Funding for the Arkansas Housing Trust Fund. Established by legislation in 2009, the Arkansas Housing Trust Fund (AHTF) was created to provide a flexible source of funding to address the need for affordable housing in the state. Allowable uses for AHTF include housing and foreclosure counseling.

Throughout its history, AHTF has never had a permanent funding appropriation or funding source. The fund received a one-time, \$500,000 funding allocation in 2013 that went to projects in Little Rock, Harrison, and Fort Smith. In 2021, Act 548 created another one-time allocation of \$5 million to AHTF.

Creating a permanent funding source for AHTF will allow the state to create consistent, robust programming that includes dedicated funding for housing counseling, which would allow agencies to increase access to more Arkansans, especially in rural and underserved areas.

Forty-seven states and the District of Columbia have at least one housing trust fund. Real estate transfer taxes and document recording fees are the most common sources of funding.³¹ Other dedicated revenue streams used by states include interest on real estate escrow accounts, bonds, and general fund revenues, and North Dakota offers a tax credit to incentivize private donations.³²

Support Pending Federal Legislation. Two bills were introduced in Congress in 2021 that would incentivize first-time homebuyers to use housing counseling services and would significantly increase housing counseling funding, respectively.

HR 1395, the Housing Financial Literacy Act, is a bipartisan effort spearheaded by Rep. Joyce Beatty (D-Ohio). The bill would create an incentive for first-time homebuyers to complete a HUD-certified counseling course. Homebuyers who complete the course would receive a discount on FHA mortgage insurance premiums of 25 basis points, which translates to a \$250 savings for every \$100,000 financed through FHA. The bill has passed the House and has been assigned to the Senate Banking, Housing, and Urban Affairs committee.

In the Senate, Sens. Bob Menendez (D-NJ) and Sherrod Brown (D-Ohio) introduced Senate bill 404, the Coronavirus Housing Counseling Improvement Act in February. The bill would provide \$700 million for NeighborWorks to fund nonprofit housing counseling agencies, with at least 40 percent earmarked for counseling organizations that serve minority and low-income homeowners and renters. The bill is currently assigned to the Senate Banking, Housing, and Urban Affairs committee.

Encourage Private Funders to Invest in Housing Counseling, Specifically Rental Counseling. Survey responses revealed that HUD and other federal programs were the major sources – if not the only source – of funding the agencies receive for housing counseling activities. There is an opportunity for foundations, employers, and banks to augment existing revenue streams, especially for rental counseling, language services, and marketing and outreach.

Create Eviction Diversion Programs. There are currently 47 state and local eviction diversion programs operating across the country to help renters stay in their homes. These programs, which can be run through courts or are court-adjacent, are designed to find and help people before evictions are filed to connect them to resources such as housing counseling and rental assistance.³³

Increase Language Support. Most the state's housing counseling agencies offer Spanish language services in addition to English and at least one offers Marshallese. However, potential clients who need interpretation in other languages or are hearing impaired are not likely to be able to access services. According to the US Census Bureau, 7.5 percent of Arkansans ages 5 and over speak a language other than English at home.³⁴ The top five languages other than English spoken in Arkansas, according to the Centers for Medicare and Medicaid Services, are Spanish, Marshallese, Vietnamese, Chinese, and

Laotian.³⁵ Providing interpretation services for other languages will help reduce disparities among “hidden” populations that are not usually tracked by researchers, advocates, and policymakers.

Create a Coordinated Marketing and Outreach Campaign. As cited in the agency survey and research conducted by HUD, word of mouth and internet searches are the two most common ways consumers find out about housing counseling services. A coordinated, statewide marketing and outreach effort that promotes all the state's housing counseling agencies and the services they offer could reach a greater number of people who need services. Best practices for such a campaign include the use of empowering language; for example, instead of using terms such as “purchasing power” and “financing options” instead of “qualify” and “affordability.”³⁶ Research from HUD also suggests advertising or coordinating messages on sites consumers tend to visit when thinking about purchasing a home, such as Zillow, banks, and real estate agents.

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