

Faith in Housing Act

Rep. Scott Peters (D-CA) and Rep. Chuck Edwards (R-NC)

Churches, synagogues, temples, mosques, and other religious institutions help those in need as part of their faith. Because of the chronic housing shortage in many communities, this charity often focuses on poor Americans who face housing insecurity—families without the savings to afford both food and rent, or youth, adults, and elders who are homeless.¹

To meet their mission, many religious institutions can turn to an overlooked resource—the land they own.² Faith-based institutions own tens of thousands of acres across the United States, including excess parking lots, offices, and empty space.³ Religious organizations see an opportunity to partner with affordable housing developers to construct homeless shelters, permanent supportive housing, and homes attainable to families of modest incomes.

Affordable housing on underutilized faith lands can also provide revenue to help stabilize a congregation's finances. Even before the pandemic, one in three congregations had no savings, and one-quarter had mortgage or other debt.⁴ Affordable homes can help a religious organization's staff and congregants stay in an area with a high cost of living. Among American congregations, 19% have only volunteer clergy, and 35% of clergy have a second job.⁵

But congregations seeking to support their communities and themselves run up against unnecessary, government-imposed barriers to housing. In the communities that most need affordability, local laws say “Not In My Backyard” to affordable housing.⁶ Onerous permitting and zoning mandates make affordable housing economically infeasible despite federal and state government subsidies.⁷ Religious institutions often must go through lengthy rezoning processes to use land for a non-religious use. This harms all Americans by straining our social safety net.

The *Faith in Housing Act* puts a dent in the housing and homelessness crisis by allowing nonprofit religious institutions to say yes to affordable housing on their land. Relying on precedents from the Religious Land Use and Institutionalized Persons Act (RLIUPA) and the 1996 Telecommunications Act, the bill clarifies that religious institutions have authority to build affordable housing on their land, regardless of restrictive local zoning laws.⁸

The bill requires religious institutions to maintain low/middle-income affordability, partner with a nonprofit manager, and comply with health and safety standards. Five percent of homes can be set aside for staff and clergy, and all others must be available regardless of religious beliefs. The bill would make building affordable housing easier, faster, and less expensive for religious institutions that are already community anchors and want to house their neighbors.

¹ [“There’s a massive housing shortage across the US. Here’s how bad it is where you live,” NPR.](#)

² [“Yes In God’s Back Yard wants to build homes for those most in need of them,” Faith & Leadership.](#)

³ [“Mapping the Potential and Identifying the Barriers to Faith-Based Housing Development,” Turner Center.](#)

⁴ [Duke University National Congregations Study, 2019.](#)

⁵ [Duke University National Congregations Study, 2015.](#)

⁶ [“Cities Need Housing. Churches have property. Can they work something out?” Washington Post.](#)

⁷ [“Landmark Commission rejects church’s plan to turn parking lot into affordable housing,” Westword.](#)

⁸ [Russell v. United States](#), 471 U.S. 858, 862 (1985); [Westchester Day School v. Village of Mamaroneck](#), 504 F.3d 338 (2nd Cir. 2007); [Hodel v. Indiana](#), 452 U.S. 314 (1981), [Nat’l Ass’n of Home Builders v. Babbitt](#), 130 F.3d 1041 (D.C. Cir. 1997).