Return to the Workplace

Issue

During the public health emergency created by the rapid spread of the COVID-19 virus, governmental authorities ordered widespread closures of places where people gather, including office buildings.

These shutdowns were appropriate at the time, and the commercial real estate industry worked diligently to create safe work environments that would accelerate the reopening of economic activity.

In his State of the Union speech in February 2022, President Biden stated:

- It's time for Americans to get back to work and fill our great downtowns again with people. People working from home can feel safe and begin to return to their offices. We're doing that here in the federal government. The vast majority of federal workers will once again work in person.

Unfortunately, agency actions did not immediately live up to the President's words. Federal agencies continued to promote remote working arrangements as a recruitment, retention, and cost-saving tool.

In February 2023, the House of Representatives passed the SHOW Up Act (H.R. 139) directing federal agencies to reinstate their pre-pandemic telework policies and ensuring that any future remote working plans receive careful and deliberate consideration.

In April 2023, the White House Office of Management and Budget informed federal agencies that they have 30 days to develop plans to "substantially increase" their employees' in-person work at headquarters. In the same month, the White House Office of Personnel Management announced in a government-wide memo that it was ending its "maximum telework" directive for federal agencies, which it adopted during the pandemic.

The guidance is an important step forward supported by The Real Estate Roundtable. Federal agencies must follow through, in good faith, on the White House directive.

The Roundtable's Position

- The federal government employs over 1.3 million civilians in 2,200 communities across the country and is a market leader that influences leasing costs and property values. Actions it takes as a tenant have profound impacts on local markets and associated property tax revenue, surrounding small businesses and their workers, and more.

Return to the Workplace

- Federal agencies' actions to promote permanent remote working are out of step with the direction of private sector employers, who are increasingly recognizing the importance of bringing employees back to the workplace.
- Instead of aggressively promoting work-from-home arrangements for federal workers, the federal government should help facilitate a smooth, market-based transition to the new era.
- The work-from-home trend is increasing the negative pressure on commercial real estate property values and therefore reducing local tax revenues. Between 2021 and 2022, the decline in office building property assessments reduced property tax revenue in Washington, DC, by $140 million. The City of San Francisco forecasted that remote work could reduce office-related property tax revenue by more than $100 million in 2023. A report by the New York City Comptroller in December 2023 concluded that remote work could contribute to a potential decline in property tax revenue as great as $2.1 billion over the next three years.
- Restaurants, small businesses, and their employees are another casualty of policies that discourage a return to the workplace. Workers are spending less time and money in central business districts, with devastating consequences for the businesses—coffee shops, gyms, barber shops, restaurants, etc.—that rely on their patronage.
- Leading academic research has identified a dozen cities where the reduction in local spending as a result of remote work exceeds $2,000 annually per teleworking employee.
- Research released by the Labor Department found that "the increase in remote work had significant effects on local employment…[s]pecifically, a 10% decrease in foot traffic in a Census tract led to a 2.8% decline in employment for accommodation and food services and a 2 percent decline in retail trade employment."
- Remote working threatens the viability of public transit systems. Nationwide, according to the American Public Transportation Association, ridership on commuter rail remains substantially below pre-pandemic levels (74% of pre-pandemic levels in large urban areas, as of March 2024).

Property Conversions and Housing Tax Incentives

Issue

The United States is facing a severe shortage of affordable housing. The current administration has announced a goal to build and renovate more than 2 million homes to increase supplies. At the same time, certain other commercial real estate assets like office buildings are under significant stress due to pandemic-related issues, including employers' greater reliance on remote work arrangements. The Roundtable is encouraging lawmakers to help revitalize cities, boost local tax bases, and address housing challenges by enacting a tax incentive and federal loan support for converting older, under-utilized buildings to housing. The Roundtable also supports a meaningful expansion of the low-income housing tax credit.

Property conversions: In the 117th Congress, Senator Debbie Stabenow (D-MI) and Representative Jimmy Gomez (D-CA) introduced legislation, the *Revitalizing Downtowns Act* (S.2511, H.R.4759), which would create a new tax credit to reduce the costs associated with converting older office buildings to housing or other uses. In October 2022, a Roundtable-led coalition of 16 national real estate organizations endorsed the legislation while suggesting a number of improvements to further strengthen the bill.

Low-income housing tax credit: Since its inception in 1986, the low-income housing tax credit (LIHTC) has financed the development of nearly 3.5 million affordable rental homes that house over eight million low-income households. President Biden's budget and legislation passed by the House Ways and Means Committee in the first year of the Biden administration would make major new investments ($29-32 billion) in expanding and improving LIHTC.

In May 2022, the administration released its Housing Supply Action Plan, which calls on Congress to enact new tax credits for the development and rehabilitation of affordable housing sold directly to low- and moderate-income owner-occupants. It also proposes an expanded LIHTC subsidy for projects that otherwise would not be financially viable.

The *Tax Relief for American Families and Workers Act* (H.R. 7024), passed by the House in early 2024 and supported by The Roundtable, would expand LIHTC. The bill would temporarily increase credit allocations to States and lower the amount of private activity bond financing that an affordable housing project must receive in order to receive credits outside of the capped state allocation process.

Furthermore, at The Roundtable's urging, the Biden-Harris Administration surveyed existing agency programs that might offer low-interest loans to help support housing conversion projects. The "Guidebook to Available Federal Resources" curates programs from the Departments of Transportation, Housing, Energy and the EPA that can be used to assist adaptive reuse projects—but agency rules and guidelines are necessary to streamline underwriting procedures so proceeds can be issued to borrowers in about six months after an application for financing is submitted.

The Roundtable's Position

- Congress should help expand and grow the supply of affordable and workforce housing by investing greater resources in time-tested tax incentives like the low-income housing tax credit and adopting creative new approaches that support the conversion of underutilized, existing buildings to housing.
- A quarter of American renter households spend more than 50% of their income on housing expenses. More than 10 million low-income households spend more than half of their monthly income on rent, according to Harvard's Joint Center for Housing Studies.
- The conversion of underutilized and often vacant buildings offers a tremendous opportunity to improve the built environment and lift a surrounding locality. Property conversions are a cost-effective means to develop new housing supply, create jobs, and generate critical sources of local property tax revenue.
- Conversion projects can occur in a variety of settings, from central business districts and suburban office parks to rural communities and industrial facilities. The repurposing of existing structures can save energy while reinvigorating communities and reigniting economic growth where it is most needed.
- The inherent risks and elevated costs associated with property conversions, combined with the numerous social and economic benefits of conversions that flow to the broader community, justify proactive government policies that incentivize owners to adapt existing properties to new uses.
- LIHTC is an efficient, market-based housing solution that relies on the private sector to finance, build, and operate affordable housing by creating a federal incentive for new construction and redevelopment.
- Under the successful LIHTC program, states can award housing credits based on their own affordable housing priorities. They can target credits to housing units dedicated to certain populations such as seniors or veterans, or to specific regions most in need of affordable housing.
- The Tax Cuts and Jobs Act of 2017 indirectly diminished the value of low-income housing credits because the corporate tax cut reduced the underlying tax liability of many tax credit purchasers, thereby decreasing demand for the credits in the marketplace.
- Congress should significantly expand LIHTC, along the lines of the *Affordable Housing*

Property Conversions and Housing Tax Incentives

Credit Improvements Act (S.1136, H.R. 2573), which would create and preserve more than two million affordable homes, support three million jobs, and generate $119 billion in sustainable tax revenue.

- Congress should also enact a meaningful tax incentive for commercial-to-resident property conversions similar to the *Revitalizing Downtowns Act* (H.R. 419). Updated, bipartisan draft legislation entitled the *Revitalizing Downtowns and Main Streets Act* would create a 20% tax credit for the costs associated with converting older commercial buildings to housing, provided the housing includes a significant set-aside for affordable rental units.
- Aside from legislative strategy, The Roundtable has held a series of listening sessions with the White House to recommend executive actions the Biden administration can take **to streamline federal agency loan programs to provide financial support** for CRE conversions. In particular, we are encouraging the administration to gear Department of Transportation loans for transit-oriented development (RRIF and TIFIA) to better enable commercial-to-residential building conversions.
- The single-family rental (SFR) market also holds great promise to increase the nation's housing supplies. Studies show that provides opportunities for upward social and economic mobility to households that are unable to buy homes but can rent in neighborhoods with better school districts. The Roundtable organized a "listening session" in June 2024 with our members and housing policy experts at the White House to discuss the virtues of the SFR market as a key component to help address the nation's housing crisis.

Additional Information

- RER Letter to White House Council of Economic Advisers, providing recommendations to improve low-interest federal loan programs (RRIF and TIFIA) to assist property conversions (April 15, 2024)
- Roundtable Weekly, "Reports Show Single-Family Rentals Increase Housing Availability, Drive Educational Advancement" (June 7, 2024)

Bridging the Housing Gap and GSE Reform

Issue

There is a chronic shortage of housing in the U.S. that is driving up housing prices and making it more difficult for lower-income individuals to find safe, affordable housing. Housing production in the U.S. is not keeping pace with expanding housing needs. The underbuilding gap in the U.S. now totals more than 5.5 million housing units. The impact of this growing problem of an under-supply of affordable housing is far-reaching and undermines economic growth—particularly in urban areas. In addition, the government-sponsored enterprises (GSEs) Fannie Mae and Freddie Mac—one of the primary funding sources for housing in the U.S.—have been in conservatorship for over a dozen years. Debate over reforms continues.

The Roundtable's Position

- Safe, decent, and affordable housing is critical to the well-being of America's families, communities, and businesses. The COVID-19 pandemic has intensified the nation's persistent housing crisis, prompting The Roundtable to mobilize with our national real estate organization partners and jointly advocate for policies that will help to increase housing supplies, grow jobs, and modernize our nation's critical infrastructure.
- Having a robust housing finance system is critical to expanding America's housing infrastructure to help meet the nation's longstanding goal of ensuring decent and affordable housing for all. Current efforts have failed to keep pace with the growing need for affordable housing.
- GSE reform must appropriately balance taxpayer protections and establish an efficient marketplace with a strong, efficient, and sustained financing environment for homeownership, rental housing, and sustained mortgage liquidity.
- As the gap between the number of lower-income renters and the supply of affordable units continues to grow, it is critical for the GSEs to provide support for mortgages to aid low- and moderate-income families—for homeownership and rental housing—as well as underserved areas.
- As American households increasingly turn to the rental market for their housing, a strong housing finance system should support not only homeowners but also aid the expansion of affordable rental housing.

The Bipartisan "Physical" Infrastructure Law

Issue

In November 2021, President Biden signed into law the Infrastructure Investment and Jobs Act (IIJA). In a rare show of bipartisan consensus, the House and Senate cleared the measure with Democratic and Republican support.

The IIJA is a historic, $1 trillion+ bill that allocates $550 billion in new spending to improve the nation's "physical" infrastructure (transportation, water, sewer, electric grid, and broadband systems). The Roundtable strongly backed the IIJA as it moved through the legislative process. The Biden administration estimates it would create about two million jobs per year over the next decade. The law is a down payment on the long-term investments our country must make to productively move people, goods, power, and information from home to work, business to business, community to community, and building to building.

Throughout 2022, the administration has been focused on getting the IIJA money "out the door." It has developed a guidebook focused on spending for transportation, energy, and broadband infrastructure for states and local governments to apply for federal grants, loans, and public-private partnership resources under more than 375 programs across federal agencies.

The administration has also provided a web-based interactive map showing where IIJA funds have been disbursed in communities across the nation.

The Roundtable's Position

- **Investments in infrastructure make our local communities safe and productive, and support healthy real estate markets.** Investments in infrastructure and the strength of real estate markets have a synergistic, two-way relationship. Our tenants and employees depend on safe and efficient roads, bridges, and mass transit to commute. Our buildings depend on reliable supplies of water, power, and broadband to function. In turn, infrastructure depends on healthy real estate markets. Property taxes are the main revenue source for local investments in roads, schools, etc. Higher property values mean more tax revenues to help pay for more infrastructure.
- **The IIJA helps the U.S. play "catch-up" on infrastructure investments.** The U.S. ranks 13th in the world when it comes to the quality of our infrastructure. Public investments in infrastructure as a share of the economy have fallen more than 40% since the 1960s—when the Interstate Highway System was built. If we want to stay globally competitive, increase GDP, create jobs, and out-compete China the U.S. has to continue to invest in infrastructure in a serious, significant way.

The Bipartisan "Physical" Infrastructure Law

- **The IIJA will boost Public-Private Partnerships (P3s).** Private sector capital must be tapped to help finance public infrastructure. There are simply not enough taxpayer resources to foot the entire bill for all of our nation's infrastructure needs. The IIJA supports programs that deploy taxpayer "seed money" to leverage far greater amounts of private sector investments in a variety of infrastructure asset classes. Its provisions are geared to boost P3 investments in road, transit, rail, broadband, electric grid, and carbon sequestration projects.
- **The IIJA will make our roads and bridges safer.** The largest category of IIJA expenditures is $110 billion to modernize roads and bridges. It represents the single largest dedicated bridge investment since the construction of the interstate highway system.
- **The IIJA helps build the high-speed rail network of tomorrow.** The new law makes the largest investment in intercity passenger rail since the creation of Amtrak. It devotes funds specifically to improve the Northeast Corridor route between D.C. and Boston.
- **The IIJA makes a massive investment in broadband.** It would devote $65 billion with the goal to ensure that every American has access to reliable high-speed internet.
- **The IIJA makes the largest single investment in the electric grid in history.** $65 billion goes to new transmission lines that facilitate widespread adoption of solar, wind, etc. so that clean energy can be transported over long distances.
- **The IIJA makes investments to replace the nation's lead pipes.** $55 billion is designated to provide clean drinking water for all Americans and eradicate the nation's remaining lead pipes. Every $5K investment to replace lead pipes results in $22K in avoided health care costs, as per the White House.
- **The IIJA invests in public transit.** The new law's mass transit investments total over $39 billion to help modernize bus, commuter rail, and subway networks. Most of the money would go directly to support local transit agencies.
- **The IIJA jump-starts federal investments in EV charging stations.** $7.5 billion is for construction of a national network of electric vehicle refueling properties. The goal is to make EV chargers as common as gas stations to minimize travelers' "range anxiety" and provide greater surety that "clean cars" can be easily re-charged and travel over long distances.
- **The IIJA helps streamline the cumbersome federal review process to approve projects.** The new law codifies a 2-year federal permitting goal and establishes a "One Federal Decision" document to coordinate the environmental reviews of multiple agencies.

Additional Information

- White House Fact Sheet, "The Bipartisan Infrastructure Deal (Nov. 6, 2021)
- The Biden administration's bipartisan infrastructure law "spending guidebook" from the Biden administration (released Jan. 31, 2022)
- Interactive map "dashboard" showing IIJA project funding across the U.S.