



August 15, 2024

The Honorable Jason Smith
Chairman
House Committee on Ways and Means
1139 Longworth House Office Building
Washington, DC 20515

The Honorable Richard Neal
Ranking Member
House Committee on Ways and Means
1139 Longworth House Office Building
Washington, DC 20515

Dear Chairman Smith and Ranking Member Neal:

On behalf of the 1.5 million members of the National Association of REALTORS®, I write to share our acute concern about the lack of availability and affordability of housing in our Nation and to recommend tax reform ideas to alleviate this plight.

Based on various studies, the United States faces a critical shortage of as many as 7 million homes. Over the past several years, America's supply problem has worsened, and housing has grown increasingly expensive and out of reach for more and more Americans. As champions serving at the front of the housing cause, REALTORS® can attest that most areas of the Nation are in a housing crisis.

According to NAR's most recent Housing Affordability Index, the ability of typical families to afford to purchase a median-price home has continued to decline throughout the Nation. The latest index, for May 2024, was 93.1, compared with 99.6 one year ago. An index below 100 means that a family with a median income had less than the income required to afford a median-priced home.

A June 2024 study by the Joint Center for Housing Studies of Harvard University concluded that the U.S. home price index is 47 percent higher than it was in 2020, with the median sales price of homes at about five times the median household income. In the rental market, meanwhile, rents are up 26 percent since 2020 and are rising in most markets. Also, the number of people experiencing homelessness reached a record high in 2023.

Obviously, there is no one simple "magic bullet" solution to our housing crisis. Rather, policymakers at the national, state, and local levels must pursue changes in different areas to increase the affordability and availability of homes. NAR believes Congress can begin to turn around the housing crisis by including in the Internal Revenue Code various measures designed to improve the supply of homes and facilitate increased homeownership possibilities for Americans.


In order to increase the supply of homes for rent and sale, please consider supporting these legislative proposals:

- The bipartisan **Affordable Housing Credit Improvement Act** (H.R. 3238) would encourage investment in creating and preserving affordable housing by expanding the low-income housing tax credit (LIHTC).
- The bipartisan **More Homes on the Market Act** (H.R. 1321) would alleviate the home sale inflation tax and incentivize more longer-term owners to sell their homes by increasing the maximum amount of capital gains a homeowner can exclude on the sale of a principal residence and annually adjusting it for future inflation.
- The bipartisan **Neighborhood Homes Investment Act** (H.R. 3940) would attract private investment for building and rehabilitating owner-occupied homes by offering tax credits that create a pathway to neighborhood stability through sustainable homeownership. Providing this powerful incentive to build and rehabilitate homes for low- and moderate-income homeowners can fill the gap in areas where it is often more expensive to develop or rehabilitate than appraisal values will support.
- The bipartisan **Revitalizing Downtowns and Main Streets Act** (H.R. 9002) would encourage the development of new housing units by incentivizing the conversion of under-used commercial buildings to residential properties with a tax credit for qualified property conversion expenditures. Many commercial properties can be adapted to better suit the needs of communities and create job opportunities, including adding multifamily and affordable housing as well as mixed-use spaces.
- A proposal (not yet introduced) to increase the supply of starter homes by reducing the capital gains tax rate for small investors of rental houses who sell to owner-occupants instead of another landlord. If provided a higher after-tax return by selling to a first-time buyer, many selling investors would move them to the top of the list of bidders, thus making it much easier for them to buy a home.

Also, because the price of homes has increased so rapidly, many prospective home buyers are having trouble saving enough money for the necessary down payment and to afford the monthly mortgage payments, even if more properties were available to purchase. To assist them, we believe that tax reform should also include:

- Tax incentives to make it easier for those saving for a first home to amass the funds necessary for a sufficient down payment. This could include tax-preferred savings plans similar to Individual Retirement Accounts or 529 educational accounts where funds can grow faster and possibly be matched by contributions from parents, employers, or others.
- A home ownership tax credit for those who do not itemize and are thus not able to utilize tax incentives such as the mortgage interest and property tax deductions. Unlike the situation for most of the past century, the vast majority of today's prospective home buyers get no assistance from the current tax law in buying a home.
- Increasing the \$10,000 limit on the state and local tax (SALT) deduction and eliminating the marriage penalty for taxpayers filing jointly, who have the same maximum deduction as single filers. This change would help current and prospective homeowners who are facing increased property tax payments that have gone up simply because the value of their home is higher.

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Finally, the Tax Cuts and Jobs Act of 2017 (TCJA) included several provisions designed to ensure that real estate professionals are better able to serve their communities. Specifically, TCJA implemented Section 199A, which created a 20% deduction from qualified business income for self-employed entrepreneurs and owners of pass-through businesses. This new deduction helped to equalize the tax rate between large corporations and small businesses and independent contractors – including the vast majority of real estate professionals. With this provision set to expire at the end of 2025, NAR strongly believes it must be extended. An expiration of this provision would disproportionately harm America’s small business owners and negatively impact crucial sectors of the economy.

A second significant piece of the TCJA was the preservation of 1031 like-kind exchanges for real property, which supports commercial real estate investments, including rental housing, at a crucial time for America’s real estate industry. The majority of properties exchanged are held by small investors, and in 89% of the exchanges, clients invested significant additional capital into the property, creating jobs and increasing economic growth. Like-kind exchanges accelerate economic growth by preventing properties from languishing. They put real estate into the hands of new owners with the time, resources, and desire to restore and improve them, which invigorates the economy and creates jobs. NAR strongly believes this position must be maintained.

NAR is committed to working with the Ways and Means Committee to create new and innovative ways that our Federal tax law can help ensure the American Dream of homeownership remains within reach for millions who are presently at risk of not attaining it. The tax reform discussions that the Congress has already begun and that will continue into next year represent an ideal time to take the first steps to turning around the housing crisis.

Sincerely,



2024 President, National Association of REALTORS®