

# Opening Doors

A HOUSING PUBLICATION FOR THE DISABILITY COMMUNITY

SEPTEMBER 1997 / ISSUE 2

## FROM THE EDITORS

WHY IS IT THAT PEOPLE with disabilities, their families, advocates, and service providers have such a difficult time working with the affordable housing system? Like most simple questions, there is no one simple answer. Stigma and discrimination are often cited as major problems. The complexities associated with most federal housing programs and policies are also a real barrier. And then you have to figure out who is really in charge – Is it HUD? Or the Mayor? Or the Public Housing Authority Director? Or maybe all three? Just when you think you might have some answers to these questions, Congress changes the laws, or HUD changes the regulations, or your Public Housing Authority (PHA) changes their tenant selection priorities, and you start all over again!

Despite these frustrating realities, there are several principles within the affordable housing system that rarely change. Understanding these principles can help the disability community effectively advocate to secure more affordable housing for people with disabilities. These include:

- Scarcity - there is **never** enough affordable housing for those who need it. Nationally, less than 50% of households who qualify for federal housing assistance are receiving it.
- Decisions about who gets scarce affordable housing are **supposed** to be based (at least in part) on quantified affordable housing needs.
- Affordable housing decisions are made by several different housing officials in your community.

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*A publication of the  
Technical Assistance  
Collaborative, Inc.  
and the Consortium for  
Citizens with Disabilities  
(CCD) Housing Task  
Force*



## Influencing Affordable Housing Decisions In Your Community

**F**or people with disabilities, their advocates, families, and service providers, trying to access affordable housing in the community is a difficult task. This is especially true today. Reductions in federal funding for affordable housing programs, and changes in how these affordable housing programs operate, are affecting who will benefit from these programs in the future.

In the face of pressures to balance the federal budget, in an effort to limit the role of the federal government in housing, and in the wake of welfare reform, the future of affordable housing is under scrutiny and debate at the federal, state, and local level. **The outcome of this debate is likely to be less funding for new affordable housing,**

**less affordable housing targeted to the very poor, and greater state and local discretion over who gets access to affordable housing assistance.**

In this context, it is critical that the disability community assess and quantify the affordable housing needs experienced by people with disabilities in their communities. **The measure of housing need is, in large part, the means for deciding who gets affordable housing assistance. Quantifying and describing the acute housing need experienced by people with disabilities is an invaluable first step in the effort to advocate for additional housing assistance.** With good data, people with disabilities, their

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# Opening Doors

To housing opportunities for people with disabilities

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**The Technical Assistance Collaborative, Inc.** is a non-profit organization that provides state-of-the-art technical assistance and training to housing and human service organizations so that they may achieve positive outcomes in their work on behalf of people who are disadvantaged and/or disabled. For more information, please contact Lexi Turner or Ann O'Hara, Technical Assistance Collaborative Inc., One Center Plaza, Suite 310, Boston, Massachusetts 02108. Phone: 617-742-5657 or Fax: 617-742-0509.



**The Consortium for Citizens with Disabilities (CCD)** is a national coalition of consumer, advocacy, provider, and professional organizations who advocate on behalf of people of all ages with disabilities and their families. CCD has created the CCD Housing Task Force to focus specifically on housing issues that affect people with disabilities.



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## from the Editors

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- These officials **rarely** have accurate information on the housing needs of people with disabilities.

This issue of *Opening Doors* presents an overview of the affordable housing delivery system in your community and describes ways for the disability community to document the housing needs of people with disabilities. This housing needs data will be essential in the months and years to come as the federal government gives more and more decision making authority to state and local housing officials. Increasingly, these housing officials will be responsible for deciding how best to use limited affordable housing funding in their communities.

As you advocate to increase housing opportunities for people with disabilities in your community, there are two common sense strategies to keep in mind:

**There is strength in numbers and in a unified approach**  
Take an inclusive approach by inviting organizations and individuals representative of **all** disabilities to work together on this issue. Together you can have a single message regarding the growing affordable housing crisis that people with disabilities are experiencing.

**The squeaky wheel usually gets the grease** - Having the right message and the needs data to back it up will not be enough. To be effective, you will need to be persistent. You will need to attend many public meetings, actively engage local housing officials who make the decisions, and confront stigma and discrimination when you encounter it.

TAC and the CCD Housing Task Force are here to help. Since the first issue of *Opening Doors* was published in May, we have heard from many of you that you are encountering difficulties working with PHAs in your communities. You have reported that many PHAs are unwilling to apply for the new Section 8 certificates and vouchers available for people with disabilities. This is important information that TAC and the CCD Housing Task Force will pass on to HUD and the Congress in the months to come, so please stay in touch.

The Editors

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advocates, families, and service providers can convincingly make the case for needed affordable housing at the local, state, and federal level.

To help with this effort, this issue of *Opening Doors* will:

- provide an overview of the affordable housing delivery system and the types of federal housing resources available;
- outline factors that influence affordable housing decisions, especially housing needs data and advocacy;
- identify practical strategies for the disability community to document housing need in their communities; and finally,
- illustrate how to use this housing needs information to affect affordable housing decisions.

## AFFORDABLE HOUSING IS SCARCE

It is important to recognize that affordable housing - that is housing made affordable through some form of public sector housing assistance - is in extremely short supply. In 1996, the Department of Housing and Urban Development (HUD) estimated that there were close to 5 million federally assisted housing units throughout the country. At that same time, HUD reported to Congress that there were at least an additional 5.3 million low-income families and individuals who were not receiving any housing assistance and were experiencing “worst case” housing needs, i.e., paying more than half of their income for housing or living in seriously substandard housing.

In its 1994 report to Congress on housing needs, HUD included people with disabilities as one of the principal populations experiencing “worst case” housing needs throughout the country. HUD also stated that people with disabilities were the most likely group to experience multiple housing problems (meaning that they

were the most likely group to be living in substandard housing *and* paying over 50% of their income for that housing).

Though notable in its findings concerning the housing needs of people with disabilities, the CCD Housing Task Force disagrees with HUD’s estimates that only 170,000 people with disabilities are experiencing “worst case” housing needs.

The CCD Housing Task Force believes the number of people with disabilities who are experiencing worst case housing needs may be close to 1,792,000 nationwide. Unlike the lower HUD estimate, this estimate factors in the largely unseen housing need experienced by adults with disabilities who may be living at home with aging parents or who remain in institutions or residential settings because affordable housing in the community is not available.

Clearly, the availability of affordable housing falls well short of the housing need experienced by very low income people, including people with disabilities. As was pointed out in the May issue of *Opening Doors*, this affordable housing scarcity is becoming especially acute for people with disabilities because of federal “elderly only” housing designation policies. Now more than ever, it is important to get the message out that people with disabilities need affordable housing, and to back this message up with sound data.

## A FRAGMENTED SYSTEM

Though often referred to as an affordable housing delivery system, there are a multitude of different affordable housing programs. This patchwork of housing programs represents the evolution of (and changes in) federal housing policy over the last 60 years. There may also be a number of different agencies responsible

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FOR MORE  
INFORMATION OR  
LIMITED TECHNICAL  
ASSISTANCE ON  
HOUSING FOR PEOPLE  
WITH DISABILITIES  
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ORGANIZATION LISTED  
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for administering affordable housing programs in any one community.

Further complicating this picture, each housing program has its own rules regarding who is eligible for assistance, or who gets priority for assistance over other people in need of housing. Sometimes these eligibility rules are proscribed by Congress or by federal regulation, leaving local agencies with little discretion. Other affordable housing programs allow local officials a great deal of latitude in determining the affordable housing needs and priorities in their communities. The trend in affordable housing programs today is toward greater local discretion regarding the use and targeting of federal housing assistance.

## WHO PROVIDES AFFORDABLE HOUSING?

Most housing assistance is funded by the federal government. The Department of Housing and Urban Development (HUD) is the federal agency responsible for the administration and oversight of most affordable housing programs throughout the country. In addition to a central office in Washington, there is at least one local HUD field office in every state. These local HUD field offices are responsible for program oversight and technical assistance in their regions. (Information is available on the internet about your local HUD field office at [www.hud.gov/local.html](http://www.hud.gov/local.html)).

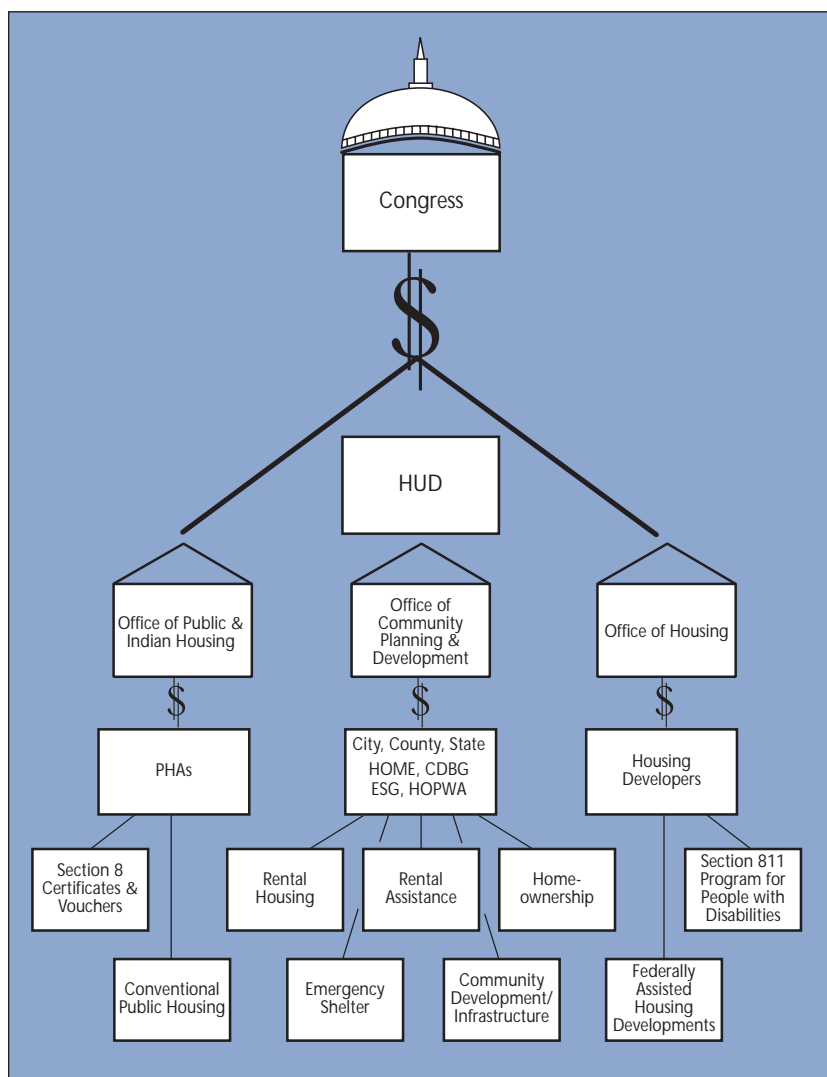
HUD contracts with public and private agencies and governments (city, county, and state) to administer housing assistance programs on its behalf. The primary agencies with whom HUD contracts are:

**Public Housing Authorities (PHAs).** These public agencies are overseen by a Board of Commissioners that is either elected or appointed by the city or town. PHAs were created with passage of the first Housing Act in 1937 to develop, own, and manage public housing under contract with HUD. PHAs administer conventional public housing and Section 8 tenant-based certificates and vouchers. Historically, PHAs have been highly regulated by HUD. The Public Housing Reform legislation currently before Congress is in

large part an effort to provide greater flexibility to PHAs regarding the programs they administer.

**City, County, and State Governments.** Since 1974, Congress has created several housing and community development programs (generally known as block grants or formula grants) that are allocated through HUD to cities, counties, and states using criteria that considers population, poverty indices, and housing market conditions. States receive “balance of state” funding for those cities and towns that are not large enough to receive funding directly from HUD. These block grants have income targeting requirements, and specify eligible housing activities, but affordable housing program design and administration is largely left to the responsible city, county, or state government agencies.

**Housing Developers.** Housing developers are private non-profit or for-profit entities who develop affordable housing (i.e., acquire, rehabilitate or newly construct



housing) using federal housing assistance. In the 1960s and 1970s, many housing developers contracted directly with HUD for housing assistance to build or rehabilitate affordable housing. These housing developments (many of which have Section 8 project-based units) make up the privately-owned, federally-assisted housing inventory affected by “elderly only” tenant selection policies. Since the late 1980s, most affordable housing development has occurred using the federal block grant programs available through cities, counties, and states.

#### EXISTING AFFORDABLE HOUSING IN YOUR COMMUNITY

Most communities have an **existing supply** of affordable housing that has been developed over the course of many years. This inventory generally includes:

- Public housing projects developed and owned by the PHA (this can be family housing or elderly/disabled housing);
- Privately-owned rental housing in which all, or a portion, of the units have affordable rents because they have received some form of housing assistance; and
- Section 8 certificates and vouchers administered by the PHA. Certificates and vouchers are used to secure decent, modestly priced, rental housing in the private market **chosen by the person who has the certificate or voucher**. They can also be reused when someone leaves the program, and thus represent an on-going supply of housing assistance in the community. On average, approximately 10% of certificates and vouchers will “turnover” in a year.

#### NEW AFFORDABLE HOUSING ASSISTANCE EACH YEAR

In addition to the existing supply of affordable housing in a community, Congress, thus far, has provided some new funding each year to increase the number of households who will receive housing assistance across the country.

Currently, this housing assistance includes:

- Block grant funding from HUD to cities, counties, and states for affordable housing activities to assist additional low income households. This funding includes the HOME Investment Partnership Program (HOME), the Community Development Block Grant Program (CDBG), the Housing Opportunities for Persons With AIDS Program (HOPWA), and the Emergency Shelter Grant Program (ESG). For a further discussion of these programs see Current Block Grant Funding on page 6. You can also find out what funding your city, county or state receives on the internet at [www.hud.gov/cpd/allindx.html](http://www.hud.gov/cpd/allindx.html);

- A limited number of Section 8 certificates and vouchers for which PHAs **choose** to apply. For more information on the recent funding announcements for Section 8 rental assistance for people with disabilities see the May issue of *Opening Doors*;
- Affordable housing program funding for which non-profit housing agencies apply directly to HUD in a national competition. Increasingly, the trend at HUD and in the Congress is away from these competitive programs and toward block grants. This past spring, HUD published a Notice of Funding Availability (NOFA) for Continuum of Care Homeless Assistance on April 8, 1997 and a NOFA for the Section 811 Program for Supportive Housing for People with Disabilities on May 27, 1997. A complete listing of HUD NOFAs is available on the internet at [www.hud.gov/nofas.html](http://www.hud.gov/nofas.html); and
- Funding to rehabilitate deteriorated public housing projects.

Not all of the housing assistance identified above is available in every community. For example, a smaller PHA may own and manage several public housing buildings but may not administer any Section 8 certificates and vouchers. A small or rural town may not receive housing block grant funding directly from HUD. However, town governments or local housing developers can apply to the state, or perhaps counties, for federal affordable housing funding.

#### LINK TO AFFORDABLE HOUSING NEED

Since the need for affordable housing among low income families and individuals far exceeds the supply of housing assistance in almost all communities, cities and counties must decide among competing demands for affordable housing. Local governments and housing providers are generally required by HUD to justify any affordable housing decisions using affordable housing needs data in their communities.

Without the involvement of the disability community, local housing officials may completely overlook the housing needs of people with disabilities. Most housing officials, housing developers, and PHAs do not recognize or understand the acute housing needs experienced by people with disabilities. As people with disabilities, their advocates, families, and service providers look to access and expand affordable housing opportunities in their communities, they must be prepared to collect housing needs data, and use it to inform the affordable housing

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community of the housing needs of people with disabilities. They must also be ready to educate housing providers, housing officials, and the community at large of the preference and capacity of people with disabilities to live in the community.

### USING HOUSING NEEDS DATA TO INFLUENCE THE CONSOLIDATED PLAN

One way to educate local housing officials on the affordable housing needs of people with disabilities is to get involved in the process of preparing your community's Consolidated Plan. Each year, cities and counties that receive federal housing assistance (generally cities and counties with populations of over 50,000 and 250,000 respectively) are required by law to submit a plan to HUD called the Consolidated Plan. In this plan, HUD requires the city or county to quantify and prioritize the affordable housing needs of low and very low income people in its community, **including people with disabilities**. The Consolidated Plan must also describe how the city or county plans to use the block grant funding it receives to best meet the priority affordable housing needs of the community it identified.

The Consolidated Plan (commonly referred to as the ConPlan) is usually prepared by the city or county community development or planning department. In order to collect accurate data on the community's affordable housing needs for the ConPlan, two public hearings are required. In addition, local officials preparing the plan must consider any written comments received on the ConPlan, and respond to these comments in the plan.

The disability community should take advantage of this opportunity to influence how local officials describe the housing needs of people with disabilities. In addition, the disability community can use the ConPlan process to request federal block grant or formula grant funding to expand affordable housing opportunities for people with disabilities.

For example, the HOME Investment Partnership program (HOME) is a formula grant to cities, urban counties, and states to support local affordable housing efforts. The HOME program can be used to support a wide range of affordable housing activities. (For more information on the HOME program and other block grant programs see above). HOME funds can pay for

## Current Block Grant Funding

### COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG)

Created in 1975, CDBG is a flexible and popular federal grant to states and localities for housing and community development activities benefiting low and moderate income households. CDBG funds can be used for the following:

- Housing rehabilitation loans and grants for rental housing and homes;
- New housing construction (only if completed by non-profit groups);
- Purchasing land and buildings;
- Construction of public facilities, such as shelters for the homeless;
- Construction of neighborhood service centers or community buildings;
- Code enforcement, demolition, and relocation funds for people displaced due to CDBG projects;
- Making buildings accessible to the elderly and handicapped; and
- Public services, such as employment or health services and child care (up to 15% of grant).

### HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME)

Created in 1990, HOME is a formula grant to states and local jurisdictions for affordable housing activity benefiting low and very low income households. HOME funds can be used for the following:

- Rental housing production and rehabilitation loans and grants;

down payment assistance and low interest loans to help first-time home buyers (with incomes up to 80% of median area income) to purchase homes. This same funding can also be used to provide tenant-based rental assistance (modeled after a Section 8 certificate) to people with disabilities with extremely low incomes (i.e., incomes below 30% of median area income). The city or county must decide among these competing demands for housing assistance, and must justify this decision based on the affordable housing needs analysis in its Consolidated Plan. It is important for the disability community to

- First-time home buyer assistance;
- Rehabilitation loans for homeowners; and
- Tenant-based rental assistance.

#### EMERGENCY SHELTER BLOCK GRANT (ESG)

Created in 1987, ESG is a federal grant to states and localities for emergency shelter and assistance activities for people who are homeless. ESG funds can be used for the following:

- Renovation, major rehabilitation, or conversion of buildings for use as emergency shelter;
- Essential services for the homeless (up to 30% of grant);
- Homeless prevention efforts (up to 30% of grant); and
- Shelter operating costs, such as maintenance, insurance, utilities, and rent.

#### HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS PROGRAM (HOPWA)

Created in 1990, HOPWA is a block grant to certain states and larger metropolitan areas (based on the incidence of AIDS in these areas) to meet the housing needs of low income people with AIDS or related diseases. HOPWA funds can be used for the following:

- Housing information and coordination services;
- Acquisition, rehabilitation and leasing of property;
- Project-based or tenant-based rental assistance;
- Homeless prevention activities; and
- Supportive services and housing operating costs.

be proactive in the Consolidated Plan process by collecting and presenting data on the housing needs of people with disabilities. This data can then be used to influence local affordable housing decisions.

#### USING HOUSING NEEDS DATA TO INFLUENCE YOUR PHA

PHAs can choose what specific populations, among people with very low incomes (less than 50% of median area income), they will give preference to in receiving Section 8 rental assistance or public housing. A recent study conducted by the Public Housing Authorities Directors

Association (PHADA) found that about 20% of PHAs throughout the country have adopted a local preference for people with disabilities. Establishing a local preference for people with disabilities for Section 8 rental assistance is an important way that a PHA can help to offset the loss of public and assisted housing due to the implementation of “elderly only” tenant selection policies. Housing needs data and advocacy can help to persuade a PHA to establish such a local preference.

Though PHAs currently do not have a great deal of discretion in deciding who they can serve, the public housing reform legislation before Congress (see Washington Bulletin Board) may provide PHAs much greater latitude in deciding who will receive housing assistance from their agency. PHAs may be expected to justify these decisions based on a plan submitted to HUD that provides an analysis of local affordable housing needs. The disability community should be prepared to influence this plan with its own housing needs data.

#### BARRIERS AND OBSTACLES TO BE OVERCOME

The disability community will encounter real obstacles when trying to convince housing officials to address the affordable housing needs of people with disabilities, and when trying to recruit affordable housing providers to work with them.

**Cost.** It costs much more to make housing affordable for an extremely low income household, as is the case for many people with disabilities who must rely on Social Security Income (SSI), than it does to make housing affordable for a low or moderate income household, (e.g., a household with an income of \$25,000 a year). Therefore, for financial and political reasons, it is often easier for local housing officials to use federal affordable housing funds for home ownership initiatives targeted to working households rather than for rental assistance targeted to people with disabilities with extremely low incomes.

**Stigma and Resistance.** The stigma experienced by people with disabilities persists in many communities, and too often makes accessing or developing affordable housing difficult. Often PHAs, housing developers, and city officials would rather avoid serving people with disabilities than face the possible controversy. In the worst cases, these housing providers and officials share the prejudices and fears of the community at large.

**Lack of Information or Advocacy.** Finally, effective advocacy can greatly influence who gets housing assistance

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in your community. Strongly organized housing constituencies, such as a homeless coalition or a home builders association, may already exist in your community. Such groups are often the usual beneficiaries of affordable housing assistance because they are active and known “players” in the affordable housing system. The disability community may not be readily accepted as a “player” by other housing advocates, particularly if it is advocating for a change in how scarce federal affordable housing funding is distributed by local housing officials.

Despite these obstacles, coordination and advocacy can, and does, have an impact on local, state, and federal housing decisions (see “Using Numbers To Win

Affordable Housing Resources” highlighted below). Effective advocacy begins with a clear message. To develop a powerful and effective message, the disability community should begin with a strong statement regarding affordable housing need.

### BEGIN WITH INCOME

**Remember that a primary obstacle preventing people with disabilities from living in housing of their choice in the community is lack of income.** Therefore, any presentation of affordable housing needs should begin with a discussion of the extremely low incomes of people with disabilities, and how they compare to housing costs in the community.

Keep in mind that HUD generally considers housing affordable if a household is paying about 30% of their

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## Using Numbers to Win Affordable Housing Resources for People with Disabilities in Massachusetts

*Lisa Sloane*

*Sloane Associates, Boston, MA*

In the early 1990s, people with disabilities in Massachusetts were threatened with passage of a state version of the federal “elderly only” housing designation law in state-funded public housing. This state law would have limited younger people with disabilities to as few as 5% of the state’s 32,000 elderly/handicapped public housing units.

By October 1995, however, the Massachusetts Legislature, the Governor, and the elder, public housing and disability communities had agreed to a compromise. This compromise provided people with disabilities: 1) a preference for 13.5% (as compared to the proposed 5%) of all state-funded public housing units; and 2) an annual appropriation of \$4 million in tenant-based rental assistance (similar to the federal Section 8 program) for people with disabilities to offset the loss of state-funded public housing units.

### HOW DID THE MASSACHUSETTS DISABILITY COMMUNITY TURN THE TIDE?

**The disability community used four key strategies:**

1. Organizing across the disability community;
2. Coalition building with sympathetic elder organizations, state agencies, and legislators brought together by a trusted neutral party;

3. Developing a legal argument\* with support from legal services attorneys and the state’s Attorney General; and
4. ***Grounding their advocacy effort with data documenting the affordable housing needs of people with disabilities in Massachusetts.***

During the early 1990s, several pieces of state legislation were filed to limit the percentage of younger individuals with disabilities who could live in elderly/handicapped state-funded public housing. The limits proposed were between 5% and 10%. The disability community knew that these limits were arbitrary and not fair, but did not have good information about the number of people with disabilities in need of affordable housing. Without this information, the disability community found themselves unable to show the Legislature just how many people with disabilities would be hurt in communities throughout the state by the proposed loss of public housing.

During discussions about how best to quantify the affordable housing needs of people with disabilities quickly and reliably, the disability community decided that federal Census data would be the most useful.

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income toward their housing costs. For people with disabilities, whose primary source of income may be Social Security Income (SSI), affording housing in most communities is virtually impossible. A nationwide study completed by the Center for Community Change in Vermont in the early 1990s revealed that a person with a disability receiving SSI could not afford to rent an apartment at the Fair Market Rent (a rent level that HUD establishes to reflect moderately priced, decent, safe, and sanitary housing for that area) unless he or she was willing to pay over 50% of his or her income for that housing. This was found to be true in all 50 states.

#### ACUTE AFFORDABLE HOUSING NEEDS OFTEN HIDDEN

Unfortunately, the affordable housing needs of people with disabilities are often invisible to the affordable housing community. Adults with disabilities living at home with aging parents or in inappropriate institutional settings are usually overlooked when a city or PHA assesses local affordable housing need. Affordable housing officials and providers most often look at waiting lists for housing (such as Section 8 rental assistance or public housing) to quantify need. Unfortunately, these waiting lists are often closed.

If people with disabilities cannot apply for housing, or are not already on these lists, they will not be considered in need of affordable housing. As a result, their demand for affordable housing is not recognized. Even when people with disabilities are on these lists, the numbers typically underrepresent the true extent of affordable housing need.

#### DOCUMENTING AFFORDABLE HOUSING NEED

In the absence of good information from housing waiting lists, or in addition to this waiting list information, the disability community should look to alternative sources of information within their systems to document affordable housing need. Examples of these sources include:

- the number of individuals on service provider waiting lists for community housing options;
- the number of individuals living at home with aging parents;
- the number of young adults graduating from public and private schools without housing;
- the number of individuals residing in state-operated facilities without affordable housing options in the community;
- the number of individuals residing in intermediate care

facilities, group homes, board and care homes, nursing homes, or other residential settings due to a lack of affordable housing options in the community;

- the number of individuals who are homeless;
- the number of individuals who are paying over 50% of their income for housing or living in seriously substandard housing; and
- the number of individuals who are currently on subsidized housing waiting lists, such as Section 8 rental assistance, public housing development, or federally-assisted housing development waiting lists.

#### A COMMUNITY'S TRACK RECORD

The disability community should also attempt to quantify how many people with disabilities currently benefit from housing assistance in the community. This means estimating how many people with disabilities live in public housing, how many have received a Section 8 certificate or voucher, and how many are living in federally (or otherwise publicly) assisted affordable housing. This information is important because in most communities people with disabilities have not traditionally received their fair share of the affordable housing available.

PHAs and federally-assisted housing management companies **should** be able to provide information on how many people with disabilities live in their housing, or have a Section 8 certificate or voucher. You can begin by contacting the person responsible for administering the Section 8 program and the person responsible for managing the public housing projects. They are required to report this information to HUD, though they do not distinguish among type of disability. If the PHA or property manager refuses, case managers are an alternate source for this information. A last resort may be filing a request with the HUD Field Office for this information under the Freedom of Information Act.

You can also find out valuable information by reading the Consolidated Plan of your city, county, or state (available upon request from the government agency responsible for preparing it). The Consolidated Plan will tell you how federal affordable housing dollars are being spent in your community. This will provide the disability community with additional information on current and past efforts, if any, to meet the affordable housing needs of people with disabilities.

In most communities, people with disabilities have not received a fair share of the affordable housing assistance

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available relative to their affordable housing need. Keep in mind that it has only been since 1988, with passage of the Fair Housing Act Amendments, that people with disabilities have even had fair housing protections. When advocating for affordable housing, it is very useful to know the community's track record on providing housing for people with disabilities. **It is particularly important now because people with disabilities are losing access to affordable housing in many communities due to "elderly only" designation policies.**

## FORGING A COMMON MESSAGE

While working across disability populations may have the added challenge of establishing standard ways of reporting and describing affordable housing need, it will have the added benefit of forging a collective message. Such a message helps to focus the debate on **the common need for affordable housing**, rather than on any one type of disability. Combined housing needs data also provides larger numbers and thus has a greater single impact in its presentation to housing officials and community leaders.

## HELPFUL CONSIDERATIONS

1. Keep in mind that housing needs data collection is a means to an end. The goal of collecting housing needs information is to get additional affordable housing assistance for people with disabilities who need it in the community. Estimates based on sound assumptions are sufficient for starters. Initial estimates can always be revised as more data becomes available. Ideally, service providers can identify procedures for capturing information on the current housing conditions and incomes of people with disabilities as part of

standard data collection and intake protocols in order to have housing needs information readily available.

2. Be clear on what you want and do not ask for everything. The process of documenting housing need will point to the types of housing assistance that people need: short-term rental assistance; assistance with move-in or relocation costs; long term rental assistance; funding for making housing in the community physically accessible. Make one or two affordable housing activities your priority. With perseverance, the disability community will get additional affordable housing assistance and create an on-going dialogue with affordable housing officials and providers.
3. Finally, consumers and families must be actively involved in this advocacy effort. In addition to added capacity, consumer and family involvement will capture what the numbers mean for real individuals in the community. Personal testimony is an especially powerful advocacy tool.

## RIGHT TO A FAIR SHARE

Armed with housing needs information and a message, how does the disability community use it to influence local housing policies and practices?

1. Many communities, as noted above, have to submit a Consolidated Plan to HUD. These communities are required to update this plan annually with an Annual Action Plan. The development of the Annual Action Plan must include a public hearing. This hearing is an opportunity for the disability community to provide written and public testimony about their affordable housing needs and the type of housing assistance that will best meet this need.
2. As noted earlier, PHAs have some discretion over who gets preference for the public housing and the Section 8 certificates and vouchers they manage. With the enactment of public housing reform legislation currently before Congress, they will likely have a great

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## WASHINGTON BULLETIN BOARD

### PUBLIC HOUSING REFORM LEGISLATION

Both the House (H.R. 2) and the Senate (S. 462) have considered bills that will change how federal public housing and Section 8 programs are administered by PHAs. While the Senate bill has not yet passed, Public Housing Reform may still be enacted into law this year. Major issues for people with disabilities in this legislation are:

- The House bill makes it easier for PHAs to designate “elderly only” and/or “disabled only” housing by eliminating the PHA Allocation Plan and incorporating designation activities within a new Local Housing Management Plan. The Senate bill requires that PHAs continue to submit separate PHA Allocation Plans to HUD when planning to designate “elderly only” and/or “disabled only” housing.
- Both bills grant more flexibility for PHAs to establish their own tenant selection policies, within certain HUD guidelines. Both bills also create incentives for PHAs to target higher income households for federal public housing assistance. Because people with disabilities often have the lowest incomes of the households assisted by HUD, higher income targeting may negatively impact people with disabilities on PHA waiting lists.

### FY 1998 HUD BUDGET

On the good news front, both the House (\$50 million) and the Senate (\$40 million) have included new Section 8 funding for people with disabilities in their FY '98 HUD appropriations bills. The funds are designed to off-set the loss of housing for people with disabilities due to the implementation of “elderly only” housing policies. A conference committee of the House and the Senate will determine the final amount of the appropriation that will be made available by HUD during the fiscal year beginning October 1, 1997.

### NEWS FROM HUD

Word has it that HUD received requests for over 15,000 Section 8 certificates and vouchers in response to the \$48.5 million NOFA for the Mainstream Program for People With Disabilities. Applications were due to HUD by June 9, 1997 for the 2,000 units that will be available. HUD is in the process of conducting a lottery to determine how the certificates and vouchers will be distributed to the PHAs that applied.

HUD has now approved over 60 PHA Allocation Plans to designate “elderly only” housing - 46 plans had been approved as of April 3, 1997.

deal more discretion over these affordable housing resources. Representatives from the disability community should arrange to meet with the PHA's Executive Director or the Board of Commissioners to discuss the housing needs of people with disabilities and how the PHA can better meet this need. This might include establishing a local preference for people with disabilities or an application for additional Section 8 rental assistance. This discussion with your PHA is especially important at the moment because: 1) your PHA may elect to designate some or all of its public housing “elderly only;” and 2) there are new Section 8 certificates and vouchers for people with disabilities available from HUD through your PHA.

3. Finally, the housing needs information collected by the disability community should be used to educate the community at large of the affordable housing needs of people with disabilities, and particularly of the capacity and preference of people with disabilities to live in the community in housing of their choice. This can be done by having a presence and a say at community meetings, neighborhood association meetings, local planning meetings, and so on.

Increasing affordable housing opportunities for people with disabilities will not happen without the active involvement and advocacy of people with disabilities, their families, advocates, and service providers. A starting point for organizing such an effort is documenting and illustrating the acute affordable housing needs experienced by people with disabilities. Even with sound data and a strong message, the disability community will have to be persistent and learn to navigate the affordable housing delivery system. As the example in Massachusetts reveals, with coordination, good data, and follow-up, the disability community can influence the affordable housing policy debate and protect and expand affordable housing opportunities for people with disabilities. ■

# Numbers to Win

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However, the disability community did not have the expertise or capacity to do the research and analyze the data itself. Several representatives were selected to approach the University of Massachusetts Data Center staff in hopes that they could assist. The Data Center agreed to do the research, and asked the disability advocates to tell them what questions they wanted answered and what information was needed.

Several weeks later, the Data Center provided the disability community with a written report comparing the number of younger people with disabilities needing affordable housing with the number of senior citizens in need of affordable housing throughout the state. The information was not perfect (for example, the Census undercounts people in institutions), but provided **reasonable** and **legitimate** estimates. The disability community gave this information to legislative staff. The staff found the data credible, and on this basis, were able to convince legislators to increase the occupancy limit for people with disabilities in public housing units to 13.5% and to appropriate additional funding for tenant-based rental assistance for people with disabilities.

## WHAT IS THE MORAL OF THIS STORY ?

First, you don't need to be an "expert" to use numbers or data to support your advocacy. There are a lot of community resources to assist you, including state agencies, advocacy groups, and public and private universities. Most of the information you need is available to the public for free or at a low-cost. However, you do need reliable data of some sort to present and defend your arguments.

Second, numbers alone will not win or preserve affordable housing resources. You still have to get out and organize. Nevertheless, data can provide a credible basis to begin the discussion, or to influence the amount of funding or number of affordable housing units allocated to people with disabilities. ■

★ A legal argument was made that without an alternative housing resource, even a preference scheme might be illegal. This proved key to getting the Governor to veto three versions of the legislation that did not include the rental assistance program.

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## Opening Doors

TO HOUSING OPPORTUNITIES FOR PEOPLE WITH DISABILITIES

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