

Opening Doors

A HOUSING PUBLICATION FOR THE DISABILITY COMMUNITY

SEPTEMBER 1999 / ISSUE 8

FROM THE EDITORS

This issue of *Opening Doors* focuses on the two important strategic plans that control billions of federal housing dollars. One of these plans, the Consolidated Plan (ConPlan), was discussed in a past issue of *Opening Doors*, and controls access to over \$6 billion in HUD funding that is critically important to the disability community. For example, resources administered by this plan can be used to provide rental assistance to people with disabilities or assist a landlord in making access modifications to their property. The second plan, the Public Housing Agency Plan, is newly mandated by federal law and dictates how Public Housing Agencies (also known as Public Housing Authorities) allocate resources in their communities, in particular the Section 8 rental assistance and public housing pro-

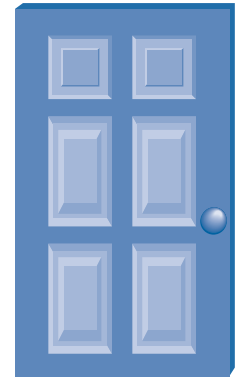
grams. Increasingly, as other federal housing options for people with disabilities disappear due to “elderly only” housing designation, the federal housing funds allocated directly to cities and states each year and controlled by these two housing plans have become one of the only resources available for expanding affordable housing opportunities for people with disabilities in communities where they want to live.

These two long-range housing plans are particularly important for increasing rental assistance and homeownership opportunities for people with disabilities. The new Public Housing Agency Plan (PHA Plan) includes a thorough description of how the PHA will administer its Section 8 program and manage its public

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



Affordable Housing in Your Community What You Need to Know! What You Need to Do!

Overview

Did you know that local housing officials are required to get feedback from the public, in particular from people with disabilities and from organizations serving people with disabilities, when making decisions about how to spend federal housing funds? Maybe you are aware of this, but have found it hard to understand the process for getting involved. Maybe you have a clear picture of what the process is for making these decisions and have tried to make your voice heard, but to no avail.

Two housing plans, the Consolidated Plan (ConPlan) and the Public Housing Agency Plan, require community input and are particularly important to people with disabilities, their advocates, and their families. These housing plans determine access to federal resources that can be used to expand affordable housing opportunities for people with disabilities. However, the community-based

process used to develop these plans, and the plans themselves, are complex and not often “user friendly”.

In order to get a “fair share” of federal housing resources, it is critically important that the disability community understand how the housing planning process works in their locality, and find the most effective way to become a part of it. As competition for federal housing resources targeted towards people with disabilities increases, it is important to look to mainstream resources controlled by these housing plans to expand and enhance housing opportunities for low-income people with disabilities. **Right now is the ideal time to get involved! Every state and many communities across the nation will be required to develop a new ConPlan and Public Housing Agency Plan during the year 2000.**

With this in mind, this issue of *Opening Doors*

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Opening Doors

To housing opportunities for people with disabilities

Opening Doors is published as a joint effort by the Technical Assistance Collaborative, Inc., Boston, Massachusetts and the Consortium for Citizens with Disabilities Housing Task Force, Washington, D.C.

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 Emily Miller, Sarah Gump, 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 or e-mail: info@tacinc.org.



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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The CCD Housing Task Force and the Technical Assistance Collaborative, Inc. would like to thank the Melville Charitable Trust for the generous support provided for the preparation and publication of *Opening Doors*, and for their continued commitment to addressing the housing needs of people with disabilities and people who are homeless.

Editorial

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housing units. Recently, Congress enacted legislation allowing PHAs to provide mortgage assistance to Section 8 participants. PHAs choosing to use Section 8 funds for homeownership must describe how they will accomplish this in their PHA Plan. Public Housing Agencies will be challenged to develop a program structured to meet the specialized needs of people with disabilities. For example, a person with disabilities may need assistance in saving for a down payment or identifying funds for the other costs associated with buying a home. Or they may need to find funding for access modifications to be done to their home. Some of the resources controlled by the ConPlan, in particular HOME and Community Development Block Grant funds, may be used to provide assistance to low-income people for homeownership assistance such as down payment and closing costs, and making access modifications to their homes.

The PHA Plan and the ConPlan also control access to valuable rental assistance funding, such as HOME/Tenant Based Rental Assistance and Section 8 rental assistance, including the Section 8 Mainstream Program for People with Disabilities. People with disabilities are among the lowest income households in the country and, due to this lack of income, are facing a housing affordability crisis. Without rental assistance, such as the funding controlled by the PHA Plan and the ConPlan, people with disabilities have very little hope of obtaining decent rental housing in their community.

HUD requires that both of these five-year housing plans, the ConPlan and the Public Housing Agency Plan, be developed during the year 2000. The process used to develop these plans requires that the community have the opportunity to participate and provide input, including people with disabilities, their advocates, and their families. In order to ensure that people with disabilities receive their "fair share" of federal housing resources, it is crucial that the disability community be actively involved in the creation of these strategic documents. The approaches detailed in this issue of *Opening Doors* will help to ensure that the voices of the disability community can not be ignored!

The Editors

Housing Plans

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focuses on realistic strategies for getting involved with the development of the strategic plans in your community that control access to housing funding, specifically the **ConPlan** and the **Public Housing Agency Plan** (PHA Plan). This issue should be read in conjunction with the December 1997 issue of *Opening Doors* (available on-line at http://www.c-c-d.org/back_issues.htm) which provided background information regarding the ConPlan. This current issue of *Opening Doors* supplements the previous issue by identifying tangible activities to involve the disability community in the state and local planning processes going on in their community in an effective and beneficial manner.

HUD'S Housing Plans

Both the ConPlan and the PHA Plan are long-range strategic housing planning documents. Federal law requires that HUD approves these plans before a locality – or a PHA – can receive HUD funds.

These plans are intended to describe:

- 1) the housing needs of the community;
- 2) the strategies to address these needs; and
- 3) the priorities for funding for a five-year period that reflect these strategies. Each year, an annual action plan is also prepared that details the actual housing activities that will be funded to further the goals and objectives laid out in the five-year plans.

THE CONSOLIDATED PLAN

The ConPlan, is the “master plan” for affordable housing in local communities and states. Each year, Congress appropriates billions of dollars (approximately \$6 billion for federal fiscal year 1999) that go directly to all states, most urban counties, and communities “entitled” to receive federal funds directly from HUD. Before states and communities can receive these funds they must have a HUD-approved ConPlan.

The ConPlan is intended to be a comprehensive, long-range planning document that describes housing needs, market conditions, and housing strategies. It should also outline an action plan for the use of federal housing funds. The stated purpose

of the ConPlan is to provide “*decent housing, a suitable living environment and expanded economic opportunities for low and moderate income persons.*” The ConPlan is your best chance to go on record about the housing crisis facing people with disabilities in your community or state. It is an opportunity to make sure that the housing needs of people with disabilities get a high priority, and that government housing activities actually address these housing priorities.

During the year 2000, every community with a ConPlan will be required to develop a new five-year plan. This means that housing officials will have to conduct a comprehensive needs assessment, housing market analysis, and analysis of impediments to fair housing. The ConPlan presents an ideal opportunity for the disability community to make state and local officials aware of the housing needs of all people with disabilities within the community and help them identify the barriers that people with disabilities face when trying to access affordable housing. For example, service providers could provide the officials

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Resources Controlled by the Consolidated Plan

- HOME
- Community Development Block Grant (CDBG)
- Emergency Shelter Grant (ESG)
- Housing Opportunities for Persons With AIDS (HOPWA)

HOUSING ACTIVITIES THAT CAN BE FUNDED BY THE CONSOLIDATED PLAN

At the state and local level, a portion of CDBG funding, and all of the HOME and HOPWA funding must be spent on affordable housing related activities, including:

- housing rehabilitation;
- grants and loans for affordable housing development;
- down payments and other assistance to increase homeownership opportunities;
- tenant based rental assistance (HOME and HOPWA); and
- emergency shelter or services programs for people who are homeless (ESG only).

All of these housing activities could benefit people with disabilities. For example, a portion of HOME program funding could be targeted for a rental assistance program for people with disabilities or for homeownership activities that would benefit people with disabilities. People with disabilities can also benefit from CDBG or HOME grants and loans used to develop affordable housing by ensuring that some of the units are affordable and accessible to people with disabilities.

Housing Plans

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creating the ConPlan with up-to-date housing needs data regarding how many people with disabilities are on waiting lists for residential programs; how many people with disabilities are homeless; or how many people with disabilities are “stuck” in inappropriate housing situations due to their inability to access permanent affordable housing.

The ConPlan is likely to become even more important in the future than it is right now. Since 1990, the federal government has been steadily handing over responsibility for federal housing programs to state and local governments. It is possible that in the near future, virtually all decisions about how federal housing funding is spent in a community will be based on the ConPlan. To ensure that people with disabilities receive their “fair share” of the more than \$25 billion in federal funds spent on housing each year across the country, the disability community must become more involved in the preparation of the ConPlan at both the state and local level.

PUBLIC HOUSING REFORM AND THE PHA PLAN

For many years the federal government has debated what to do about public housing – and the Public Housing Agencies (also referred to as Public Housing Authorities) that run it. This question has been answered – at least for now – by new public housing reform legislation enacted in 1998. Continuing the intent of the federal policies that created the ConPlan in the early 1990s, the goal of public housing reform is to give Public Housing Agencies (PHAs) more flexibility and control over how federal public housing and Section 8 funds are used in their communities. For example, local officials could decide to direct more Section 8 funding to households with higher incomes who are saving to purchase a home or to very low income people with disabilities.

Along with this flexibility and control come new requirements, including the creation of a new five-year comprehensive document known as the Public Housing Agency Plan (PHA Plan). Each PHA will be required to complete a PHA Plan that describes the agency’s overall mission for serving low-income and very low-income families, and the activities that will be undertaken to meet the housing needs of these families.

In the past, the resources controlled by the PHA Plan, specifically federal public housing and the Section 8 rental

assistance programs, were highly regulated by HUD. These programs are supposed to provide affordable housing to the lowest income households, including many people with disabilities. People with disabilities are among the lowest income households in the country. According to *Priced Out in 1998*, a report published by the Technical Assistance Collaborative, Inc. (TAC) and the Consortium for Citizens with Disabilities Housing Task Force, the national average income of an individual with a disability receiving Social Security Income (SSI) benefits is only 24% of the typical one-person income in the community. Millions of people with disabilities are too poor to obtain decent and affordable housing unless they have the type of housing assistance controlled by the PHA Plan (i.e., subsidized housing). Given this fact, it is crucial that the disability community ensure that people with disabilities get their fair share of these valuable housing resources.

In consultation with a Resident Advisory Board, each PHA will be developing their first PHA Plan during 2000, including a statement of the housing needs of low- and very low-income people in the community, and how the PHA will meet those needs. The PHA Plan is required by HUD to cover 18 topics, many of which are of particular interest to people with disabilities, including policies around:

- eligibility (this includes the establishment of preferences such as one for people who are experiencing a housing crisis);
- screening;
- homeownership; and
- the designation of units as “elderly only”.

With this in mind, as with the ConPlan, the disability community must be proactive in engaging the PHA in their community in order to ensure that the needs of people with disabilities are not overlooked.

LINK BETWEEN THE CONSOLIDATED PLAN AND THE PUBLIC HOUSING AGENCY PLAN

When Congress created the PHA Plan they created a policy to link it to the strategies of the ConPlan. Despite its problems, federal officials view the ConPlan process as a success. Their current thinking is that state and local officials – with good input from citizens and stakeholders – really do know how to best address the low-income housing needs of their communities. The role of the federal government under this approach is to provide the funding; mandate an inclusive planing process; review and

approve/disapprove the planning documents; and then get out of the way.

But what does this mean for people with disabilities and their housing advocates? Disability advocates are very concerned that the link between the ConPlan and the PHA Plan will mean that people with disabilities will have less – not more – access to affordable housing in local communities. And there are valid reasons for concern. The needs, goals, and activities detailed in the PHA Plan must reflect the needs and priorities documented in the ConPlan. In fact, PHAs can use the data provided in the ConPlan, rather than conducting their own needs assessment for the community. Unfortunately, many state and local ConPlans contain inaccurate or incomplete data, particularly with regards to the housing needs of people with disabilities. With future funding for housing at stake, it is critically important that the housing crisis confronting people with disabilities be accurately described. Given the linkage between the PHA Plan and the ConPlan it is possible that if the needs of people with disabilities are not reflected in the ConPlan they will also be overlooked in the PHA Plan.

Community Input and Participation

There are real opportunities for people with disabilities, their families, advocates, and service providers to influence what the ConPlan and the PHA Plan say about the housing needs of people with disabilities. More importantly, the planning process is the appropriate time to advocate that some of the federal housing money received by local communities and states be used for specific housing activities (i.e. housing development, rental assistance, accessibility modifications, etc.) targeted to people with disabilities.

Over the past years, some communities have been very open about the ConPlan process and have made a real effort to seek

public input and participation. Others have regarded the ConPlan as one more bureaucratic requirement from HUD, rather than a legitimate effort to identify and address priority housing needs. Local officials sometimes regard federal housing funds as “their” money – and are reluctant to change how they spend it. In these communities, advocates must work much harder to find out what is going on, and may have difficulty influencing the initial outcome.

In some communities, the same officials may be responsible for preparing both the ConPlan and the PHA Plan. **It is probable that Public Housing Agencies preparing the PHA Plan will vary how approachable and cooperative they are with the disability community when developing their plan.** Some may actively seek input from the disability community, such as requesting housing needs data. Other PHAs may resent being required to develop this plan and may be extremely uncooperative. It will be a challenge for the disability community to determine how to engage these uncooperative PHAs and the experience may be frustrating at times. However, the disability community has a right to participate and have its voice heard!

HUD Requirements

Federal officials created the ConPlan and PHA Plan processes based on the idea that local government and citizens, rather than the federal government, should be empowered to make affordable housing and community development decisions for their community. In order to ensure some community participation in these processes, HUD establishes requirements regarding citizen participation, consultation with public and private service providers, and solicitation of feedback from residents and members of the community. In both the ConPlan regulations and a recent memo from the HUD Secretary (available on-line

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Resources Controlled by the Public Housing Agency Plan

- Section 8
Tenant Based
Rental Assistance
(including
Mainstream
Housing for
People with
Disabilities)
- Public Housing

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at <http://www.c-c-d.org/cuomo.html>), HUD encouraged local officials to involve people with disabilities and organizations serving people with disabilities in the creation of these strategic housing documents. However, HUD also gives latitude to the officials developing these plans to negotiate the details of how and to what extent the disability community is involved. Thus, it is important that people with disabilities, their families, advocates, and service providers understand how to get involved and what to do if the local community is not making a meaningful effort to allow input into housing and community development decisions for their community.

■ **ConPlan: The Citizen Participation Plan**

HUD requires that each jurisdiction adopt a Citizen Participation Plan that spells out the process for citizens to participate in preparation of the ConPlan. The Citizen Participation Plan must *“provide for and encourage citizens to participate in the development of the ConPlan and substantial amendments to the ConPlan and performance reports.”* The Citizen Participation Plan should include specific steps that will be taken to encourage the participation of all citizens, **including people with disabilities.**

■ **ConPlan: Consultation with Public and Private Service Providers**

In addition to the Citizen Participation Plan, HUD requires that a local or state housing agency *“consult with other public and private agencies that provide assisted housing, health services, and social services, including those focusing on...persons with disabilities”* when preparing the ConPlan. Unfortunately, the rules do not state at what point in the ConPlan process this consultation is to be done. Nor do the rules spell out exactly how this consultation should occur. This lack of specificity can be a serious problem, especially if the officials preparing the ConPlan are unfamiliar with how health and social services systems are organized. For example, these officials may invite agencies representing only one disability group to a meeting, and then claim to have satisfied this ConPlan requirement.

■ **Public Housing Agency Plan: Resident Advisory Boards**

The development of a PHA Plan involves *“consultation with affected groups.”* Specifically, HUD requires that PHAs create a Resident Advisory Board that is comprised of public housing tenants and Section 8 program participants. This group is responsible for

making recommendations regarding the development of both the five-year comprehensive PHA Plan and the annual action plan. Currently, many PHAs already have Resident Councils made up of public housing

A Sample Housing Needs Study Psychiatric and Developmental Disabilities

People with psychiatric and developmental disabilities share a common need for safe and affordable permanent housing. The challenge for many of these individuals is that their disability limits or precludes competitive employment, leaving them on fixed or very limited incomes—usually social security (SSI) or social security disability (SSDI) benefits. This means that in addition to living with a disability, people with disabilities often struggle with the stresses of acute poverty, including the inability to afford decent and safe housing of their own choosing in the community.

Income data collected indicates that approximately 60 percent of people with a psychiatric disability receiving services from the county are on SSI, SSDI, or other forms of public assistance, receiving around \$500/month. 75 percent of these individuals have incomes below \$10,000/year. The crisis facing people with developmental disabilities is equally as severe with close to 90 percent of consumers living on some form of public assistance, and 80 percent of these adults living on incomes of less than \$10,000 a year. In a community with a median household income of \$43,407, these individuals are extremely low income (between 13% and 20% of median area income) and have little or no buying power in the housing market. Median rents in the lower cost areas are between \$450-500 a month — a rental expense that would consume the majority, if not all, of the monthly income of an individual with a disability living alone. Consequently, permanent, affordable housing alternatives in the community are close to non-existent.

In addition, waiting lists for long term residential alternatives are long. Currently, there are approximately 800 adults with developmental disabilities waiting for housing and residential services, and this number continues to grow. As a consequence, many adults with developmental disabilities are unable to move out of quasi-institutional

tenants. However, these councils may not have Section 8 participants as members or may lack the authority to have a strong voice in the policies and procedures of the PHA. It is important that the disability community

Statement for People with Developmental Disabilities

settings, or continue to live at home with family when they are unable to get the supports they would need to live in a more independent setting.

The majority of people with psychiatric or developmental disabilities experience housing problems or housing need in some form: rent burden; overcrowding; substandard housing; inability to move out of an institutional or residential treatment setting beyond the period of need; and homelessness. The costs to both individuals and the service system are great. It is now known that housing stability and housing satisfaction correlate with lower service utilization, particularly inpatient hospitalization days, and rehabilitation. Furthermore, the availability of affordable housing alternatives for people with disabilities reduces reliance on expensive institutional and congregate alternatives beyond the period of individual need.

Homeless: There are currently about 150 homeless individuals with a major mental illness or developmental disability residing within the community. These individuals are living in emergency shelters, in abandoned buildings, or in places not suitable for human habitation. Based on data from outreach programs, approximately 80 percent of these individuals are homeless for the first time, and the remaining 20 percent are chronically homeless, recycling through overcrowded/doubled up housing situations, inpatient facilities, jails, and other temporary accommodations. These homeless people with disabilities have lost all meaningful ties with family, and approximately 70 percent have no previous history with the mental health or developmental disability system. Approximately 40 percent have a secondary diagnosis of episodic or chronic substance abuse. All of these individuals are very low income, relying on entitlements such as SSI or SSDI or are without any stable source of income.

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have representation and take advantage of this new opportunity to ensure that the needs of people with disabilities are addressed in the PHA Plan. Although HUD does not specify how the PHA should solicit members for the Resident Advisory Board, HUD does state that the “*membership must adequately reflect and represent the residents assisted by the PHA.*” This should include people with disabilities who are residents. People with disabilities should be proactive when receiving housing assistance from the PHA; approach the PHA and ask to join the Resident Advisory Board.

To take maximum advantage of these opportunities, people with all types of disabilities, their families, advocates, and service providers should try to come together in each community to coordinate a message about the housing needs and housing preferences of all people with disabilities. By organizing in this way, the disability community becomes a more powerful force in the housing debate during the preparation of the ConPlan and PHA Plan. Without this united approach, local or state officials can ignore organizations representing the interests of people with disabilities because they may not appear to represent a numerically significant or broad-based constituency.

Strategies for Getting Your Voice Heard

GET ORGANIZED

Ideally, people with disabilities, their families, and their advocates should come together and develop an overall strategy for engaging local or state housing officials in the entire ConPlan and PHA Plan processes, including specific and realistic strategies for the use of federal housing funds to benefit people with disabilities. There are many ways to actively engage local housing officials and provide specific recommendations for the use of federal housing funding.

- The disability community can form a working group to focus on expanding affordable housing opportunities for people with disabilities, specifically through involvement in the development of the ConPlan and the PHA Plan. This group should have a broad-based membership including key leaders in the disability and housing communities, and other stakeholders. The group should develop a mission statement and identify goals, objectives, and action steps – such as reviewing the past ConPlans for the community or providing comments on the draft PHA Plan at the public hearing.

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LEARN THE BASICS

The first step is to get a clear picture of how the process works for your community or area.

- Find out if your local government receives federal housing funding directly from HUD and is required to have a ConPlan. Find out who has the lead role in preparing the ConPlan and developing the schedule for the process. You can do this by calling the Chief Executive of your community or the planning/community development department of your local government. If your community does not have a ConPlan then you should contact your state housing and/or community development department in order to get involved in the state ConPlan. Find out the ConPlan “program year” — when the next ConPlan will be prepared — and the schedule for public hearings, consultation requirements, etc.
- Get a copy of the most recent ConPlan from these state or local officials. HUD requires that a copy be made available to the public, free of charge within two working days. Familiarize yourself with the content and format of the ConPlan.
- Do the same for the PHA Plan by contacting the Director of your local Public Housing Agency. If there is no PHA in your community, there may be a state PHA that covers the area you live in or a PHA in a neighboring community whose jurisdiction includes your town. Contact your local HUD office if you need assistance identifying a PHA that serves your community.

GET A COPY OF THE CITIZEN PARTICIPATION PLAN

Since the Citizen Participation Plan describes the overall process for developing the ConPlan it is a key element for determining when, where, and how the disability community can be involved.

- Contact officials in the housing or community development departments in your community and request a copy of the Citizen Participation Plan. This doc-

ument should be readily available and a limited number of copies should be free of charge.

- Review the Citizen Participation Plan to ensure that the ConPlan process is truly accessible to people with disabilities. For example, are the public hearings held in wheelchair accessible facilities and are interpreters available when needed? Is there an easy process for requesting a draft copy of the ConPlan made available in different formats, such as in Braille or large print, if needed? If the Citizen Participation Plan does not describe a planning process that is truly accessible to people with disabilities, arrange a meeting with local officials to discuss your concerns and suggest reasonable accommodations that could be made to ensure

“Reasonable Accommodation” During the Planning Process

If people with disabilities and their advocates are being denied meaningful participation in the ConPlan or PHA Plan processes, they can request a “reasonable accommodation” under the Fair Housing Act Amendments of 1988 and Section 504 of the Rehabilitation Act of 1973. “Reasonable accommodation” is a change that can be made in a rule or policy if the current rule or policy restricts people with disabilities from participating on the same basis as people without disabilities. All jurisdictions that receive HUD funds must certify that they are in compliance with these important fair housing laws when they submit their ConPlan and PHA Plan to HUD.

The disability community should carefully review the Citizen Participation Plan for the ConPlan to determine whether it provides people with disabilities real opportunities to make their views known and to propose housing activities that meet their housing needs and preferences. Since there is no corresponding citizen participation plan for the PHA Plan, to find out if this process is truly accessible to people with disabilities, contact the Executive Director or Board of Commissioners of the PHA in your community and arrange a meeting to learn about the process. People with disabilities and their advocates should not hesitate to ask the agency preparing the ConPlan or PHA Plan for “reasonable accommodation” if necessary.

For example, you might want to know more about how the HOME program can provide rental assistance for people with disabilities. Or perhaps some people with disabilities need assistance understanding how to become a member of the PHA’s Resident Advisory Board. Obviously, state or local housing officials cannot be expected to meet individually with every person with a disability. However, it would be reasonable to request that a training session be held so that the disability community can learn more about these housing programs and other aspects of the planning processes.

more participation by the disability community.

- Although the PHA Plan does not have a written Citizen Participation Plan like the ConPlan does, the public process used to solicit community feedback must also be fully accessible to people with disabilities. Since PHAs have never done a PHA Plan before, they should be reminded of this obligation. You can request a meeting with the Executive Director or the Board of the Public Housing Agency to discuss ways to involve the disability community in the PHA Plan.

OBTAIN AND REVIEW CONPLAN PERFORMANCE REPORTS

In addition to developing the actual ConPlan, HUD requires each jurisdiction to report annually on the progress it has made in carrying out the activities included in the plan. These performance reports are submitted to HUD within 90 days after the close of the “program year”.

ConPlan resources can be used to assist families with households between 0 - 80% of the area median income. The performance report can help the disability community determine which households, across a broad range of incomes, actually benefit from the federal housing funds provided by HUD. The performance report for the ConPlan should indicate the number and types of families served by income level.

- Get a copy of recent ConPlan Performance Reports. If needed, ask for assistance to understand the housing activities that have been paid for with federal housing funds. Pay close attention to the statistics included in the performance reports, particularly the information regarding extremely low-income households. These are the households whose incomes are below 30% of median income, which includes virtually all individuals with disabilities who receive SSI benefits. These statistics can help determine whether the jurisdiction’s federally funded housing

activities are creating affordable housing opportunities for people with disabilities with very low incomes.

JOIN THE PHA RESIDENT ADVISORY BOARD

The PHA Plan process does not have as many mechanisms in place for soliciting feedback as the ConPlan does. For example, there are no performance reports that are required. It is crucial, therefore, that people with disabilities and their advocates take advantage of the few opportunities that do exist.


- Contact the PHA staff and find out how to join the Resident Advisory Board. The PHA may have more than one Board and you may be able to choose one that meets at times that are convenient to you. Make sure that the meetings are held in facilities that people with disabilities can access and that accommodations are available upon request. Remember, a PHA must have a Resident Advisory Board that reflects and represents the participants in their Section 8 and public housing programs. According to HUD data, nationally, people with disabilities make up 10% of public housing residents and 14% of Section 8 participants; this should be represented on PHA’s Resident Advisory Boards.

GATHER USEFUL NEEDS DATA

The needs assessment is a critically important part of both the ConPlan and the PHA Plan because it **should** determine which population groups (among the many eligible for HUD programs) will be given a high priority for housing assistance. As described earlier, the PHA has the discretion when developing the PHA Plan to incorporate the needs assessment from the ConPlan. Many PHAs may opt to use the ConPlan’s needs assessment since it is easier than conducting a separate assessment for the same community – one more reason why the needs of people with disabilities must be included in the ConPlan.

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FOR MORE
INFORMATION OR
HOUSING FOR
PEOPLE WITH
DISABILITIES
PLEASE CONTACT
TAC OR YOUR
CCD HOUSING
TASK FORCE MEMBER
ORGANIZATION LISTED
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The housing and homeless needs assessment sections of the ConPlan and the PHA Plan describe the affordable housing needs within the jurisdiction. For the ConPlan these estimates of need must be provided for several population groups, including elderly people, single persons, large families, and **people with disabilities**. The needs assessment is critical for people with disabilities and their advocates, especially the information regarding extremely low-income households. Almost all individuals with disabilities who receive SSI benefits qualify as extremely low-income households.

The ConPlan housing needs information is provided for both renters and homeowners. There is also a separate section devoted to homeless persons, and a section that discusses the need for supportive housing for non-homeless people, including the elderly, frail elderly, people with disabilities (mental, physical, developmental), persons with alcohol or other drug addictions, persons with HIV/AIDS, public housing residents, and any other categories the jurisdiction may specify.

Many ConPlans limit their discussion of the housing needs of people with disabilities to those who are homeless and those who are in need of “supportive” housing, and make the erroneous assumption that all people with disabilities fit into these two categories. Officials preparing the ConPlan need to be informed that there are **many** people with disabilities who simply need a decent and affordable place to live or who need affordable housing that is more accessible. Housing officials often overlook these “mainstream” housing needs of people with disabilities in the ConPlan narrative.

For the PHA Plan, the section on housing needs is less comprehensive than the ConPlan. The PHA Plan reports only on the needs of the extremely low-income and low-income people residing within the PHA’s jurisdiction and/or on the PHA’s waiting lists for housing assistance. The plan must contain information about the needs of elderly residents and **people with disabilities** living within the community and/or on the PHA’s waiting list. However, there are no specific HUD guidelines given with regards to the type of needs information that must be gathered.

The disability community should not wait to be asked by housing officials to provide housing needs data for the ConPlan and the PHA Plan. Instead, advocates should:

➤ Be proactive in collecting and providing housing needs

information to the appropriate officials, and should ensure that this data is included in the final plans sent to HUD. To have the greatest impact, data on the housing needs of people with disabilities should be offered to staff preparing the ConPlan or PHA Plan **as early as possible** in the process. This way the information can be factored into decisions about the ConPlan’s funding priorities and housing strategies and the PHA’s activities and programs.

- Use existing data sources to provide information regarding the housing needs of people with disabilities and give this to the officials developing the ConPlan and the PHA Plan. Previous issues of *Opening Doors* have focused on the affordable housing crisis facing people with disabilities resulting from both the loss of housing units due to “elderly only” housing policies (Issue No. 1) and the limited income of people with disabilities receiving SSI benefits (Issue No. 7). This type of information can be used to document the extreme housing crisis which people with disabilities confront in your community.
- Utilize data from management information systems of service providers to document the need for housing among the people they serve. Information should be gathered such as the number of people on the waiting list for residential services or PHA housing assistance (including public housing and Section 8); and the number of people who are living at home with aging parents, who are homeless, rent burdened, “doubled up”, or living in substandard housing. Service providers should be asking these questions in order to develop comprehensive housing needs data.
- Conduct a survey of the federally assisted housing developments in the community to find out which developments have adopted “elderly only” policies. Policies that limit, or prohibit, people with disabilities from residing in certain subsidized developments **reduce** the number of affordable housing units available to people with disabilities in the community. This fact should be identified in both the ConPlan and PHA Plan and strategies funded to address this need. For example, through phone surveys, TAC learned that 86% of HUD- funded subsidized housing units in a certain area of New Jersey are no longer available to people with disabilities. This survey was relatively easy to conduct and the results are valuable in documenting the need for housing assistance for people with disabilities.

ATTEND PUBLIC HEARINGS AND SUBMIT WRITTEN COMMENTS

HUD regulations require public hearings on both the ConPlan and the PHA Plan at various points in the

planning process. Some communities may choose to hold the public hearings at the same time for both plans, and some may have separate hearings.

- Learn the schedule for these hearings and plan to attend. It is at these hearings that citizens from the community have the opportunity to comment on the plans before they are sent to HUD. Comments may cover the content of the plan or the process itself. Organize the disability community to attend the hearings and have a number of individuals speak. These public hearings provide a critical opportunity for the disability community to make an impact on public officials present. Comments made during the public hearings are recorded and should be submitted to HUD as part of the final plan.
- If you are unable to attend the public hearings, find out the process for submitting written comments including to whom they should be addressed and the deadline for submission.

Conclusion

The ConPlan has been in existence since the early 1990s. Some disability advocates have been successful at documenting the need for housing assistance for people with disabilities and getting a share of the federal housing resources available through the ConPlan process. However, many more advocates for people with disabilities have been frustrated in their efforts to have a meaningful role in the ConPlan process and to actually obtain housing dollars.

With the creation of the new PHA Plan, and its linkage to the ConPlan, the stakes are even higher. The PHA Plan controls access to housing funds, specifically Section 8 and public housing, which are crucial to meeting the housing needs of people with disabilities. It is important that the disability community make the PHA aware of the housing crisis facing people with disabilities and work

collaboratively with the PHA to develop strategies to address these needs. For example, the disability community can use the PHA Plan process to convince housing officials to apply for the new rental assistance funds targeted to people with disabilities (i.e., the Section 8 Mainstream Program for People with Disabilities). In past years, only 11% of PHAs across the nation have applied for this funding.

The PHA Plan process, and the development of a new five-year ConPlan, present ideal opportunities for the disability community to engage state and local housing officials to meet the housing needs of the people with disabilities living within their communities. The strategies described in this issue of *Opening Doors* will help people with disabilities, their families, and advocates maximize these opportunities and ensure that their voice gets heard. Don't stand on the sidelines and miss out! ■

We would like to thank Ed Gramlich of the Center for Community Change for allowing us to use materials from their publications.



Sample Housing Needs Statement

continued from page 7

Group Homes, Adult Foster Care, or Board and Care Homes: There are currently 500 people with psychiatric or developmental disabilities residing in large government-funded group homes, adult foster care or board and care homes. Though a formal assessment has not been conducted, it is likely that many of these adults would choose to, and certainly could, live in housing alternatives if affordable housing and consumer-centered support alternatives were available to them. For some, a lack of safe and affordable housing forces consumers to remain in expensive institutional settings beyond the period of need or preference.

Living Dependently with Family and/or Friends: There are 1,500 adults with psychiatric or developmental disabilities receiving services through the county mental health and mental retardation systems who are living dependently with family or friends. The majority are living as adult dependents with parents, siblings, or other relatives, though many would choose to live independently if other housing options were affordable. As pointed out earlier, because the majority of these adults have incomes of \$10,000 or less, finding safe, affordable housing options in the community is elusive if not impossible. In addition,

there is the growing problem of adults with developmental disabilities whose parents are aging and may not be able to care for their children in the future.

Adults Living Alone or Independently: There are approximately 2,000 adults with psychiatric or developmental disabilities who are living alone or independently with family or friends. Though hard numbers are not available, anecdotal evidence suggests that many of these adults experience housing problems. The most common housing problems experienced by consumers are excessive rent burden, with many consumers paying over 50 percent of their income in rent, and/or living in substandard housing, especially unlicensed boarding homes.

Conclusion

These sobering statistics document the severity of the housing crisis facing people with disabilities in the community. Simply put, people with disabilities are too poor to obtain decent and affordable housing unless they have some type of housing assistance. Without affordable housing, people with disabilities continue to live at home with aging parents, in crowded homeless shelters, in "transitional" residential settings such as group homes or board and care homes, in institutions, or are forced to choose between seriously substandard housing or paying most of their monthly income towards rent. ■

Opening Doors

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