

Opening Doors

A HOUSING PUBLICATION FOR THE DISABILITY COMMUNITY

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CITIZENS WITH DISABILITIES
(CCD) HOUSING TASK FORCE

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The Section 8 Project-Based Voucher Program: Creating New Housing Opportunities for People with Disabilities

By Ann O'Hara

Main article begins on page 2.

Editorial — Saving Section 811

HUD's 2007 Budget Proposes 50 Percent Cut in Section 811 — Slashes Most Funding for New Units

The Administration's Fiscal Year (FY) 2007 budget proposes to slash funding for one of the most essential and cost effective housing development programs ever administered by HUD – the Section 811 Supportive Housing for Persons with Disabilities program. In a virtual repeat of its failed FY 2006 budget proposal, HUD's 2007 budget attempts to cut the Section 811 budget by 50 percent – from \$236.5 million to a proposed \$118 million.

For the second year in a row, the Administration's budget request drastically cuts the production of new Section 811 supportive housing units. Last year, HUD proposed to completely eliminate all new Section 811 production. For FY 2007, HUD is proposing to fund only 150 new Section 811 units – compared to the 927 units funded in 2006 and the 1,000+ units funded in 2005. It is clear that the Administration wants to eliminate the development of new units of permanent supportive housing for people with the most severe disabilities.

In addition to funding a mere 150 new units, the \$118.8 million requested for FY 2007 would only fund expiring 5-year contracts for existing tenant-based vouchers and project-based subsidies, and perhaps fund a few hundred new tenant-based vouchers.

For more than 40 years, the Section 811 program (and its precursor, the Section 202 Supportive Housing for Persons with Disabilities) has produced high quality community-based housing for the most vulnerable people with disabilities. The Section 811 program is the only HUD program that produces affordable and accessible permanent housing with supports for extremely low-income people with severe disabilities. For this reason, Section 811 has been a core component of community integration strategies for people living in restrictive settings such as institutions and nursing homes and for people with disabilities who can no longer live at home with aging parents.

As we did successfully last year, the disability community must fight these Section 811 cuts as the FY 2007 HUD budget is debated and adopted by Members of Congress. In 2005, thanks to the hard work of thousands of advocates, HUD's attempts to end the Section 811 program failed and Congress provided level funding for this important program. HUD's effort will fail again this year but only if you act now! To learn how you can help **Save Section 811**, visit www.tacinc.org and click on Housing and Homelessness. We need your help NOW!

Opening Doors

A Housing Publication for the Disability Community

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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 the Technical Assistance Collaborative, Inc., 535 Boylston Street, Suite 1301, Boston, Massachusetts 02116. Phone/TTY: (617) 266-5657 or Fax: (617) 266-4343 or email: 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 in 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 Section 8 Project-Based Voucher Program: Creating New Housing Opportunities for People with Disabilities

Introduction

Through the U.S. Department of Housing and Urban Development's (HUD) Housing Choice Voucher program – commonly referred to as the Section 8 voucher program – Public Housing Agencies (PHAs) provide valuable rental subsidies to very low-income households. For many years, this voucher program has had two separate components:

- Tenant-based vouchers; and
- Project-based vouchers.

A new HUD Final Rule published on October 13, 2005 now makes it much easier for PHAs to use the Project-Based Voucher program (PBV) – including expanding affordable and accessible housing opportunities for people with disabilities.

This new rule is the outcome of a multi-year effort by national disability advocates and others to address many problems with HUD's previous rules pertaining to the PBV program. The Technical Assistance Collaborative (TAC) – in partnership with the Consortium for Citizens with Disabilities (CCD) Housing Task Force – led an effort to ensure that this Final Rule could facilitate the creation of new permanent supportive housing opportunities for people with disabilities while at the same time preserving important civil rights protections under federal fair housing laws.

This issue of *Opening Doors* provides a basic overview of these new HUD voucher policies, including how the disability community and PHAs can work together to expand affordable, accessible, and permanent supportive housing opportunities.

Part One – Overview of the Project-Based Voucher Program

Despite the serious budget crisis that has affected the Section 8 Housing Choice Voucher program for the past three years, the program remains the largest and single most important federal housing resource for very low-income people with disabilities. Households with vouchers are able to rent modestly priced housing owned by private landlords and pay no more than 30 percent of household income for housing

TAC and the CCD Housing Task Force would like to acknowledge the valuable contributions made by Henry Korman, Associate General Counsel of The Community Builders, and Rod Solomon, attorney at Hawkins Delafield & Wood LLP, towards the development of the permanent supportive housing policy recommendations adopted by HUD in the Housing Choice Voucher Program Project-Based Voucher Final Rule.

costs. The voucher provides a monthly rent subsidy paid directly to the owner of the rental unit that makes up the difference between the tenant's share of the rent (i.e., 30 percent of income paid by the tenant to the owner) and the actual rent charged by the owner. For more information on the Section 8 Housing Choice Voucher program, read *Opening Doors* #17, which is available online at www.tacinc.org.

Under the tenant-based component of the voucher program, the voucher holder selects the rental unit from among units available on the open market. If the voucher holder subsequently moves from that unit to another unit, the tenant-based voucher “moves” with them. The ability of voucher holders to choose their housing has always been an important feature of the Housing Choice Voucher program.

Under the lesser known Project-Based Voucher component, the PHA “attaches” the rent subsidy to a unit of rental housing through a contract with the owner that can last from one year up to ten years. While tenants living in that unit may move (more on that later in this article), the PBV remains attached to the unit and the owner selects another tenant referred from the PHA voucher waiting list.

Why Have Project-Based Vouchers?

This is not a new question! Some members of the disability community view any project-based housing approach with skepticism. Because too many people with disabilities do not get to choose their housing situation (or their provider of services for that matter), the principle of choice in the Housing Choice Voucher program is extremely important. The disability

community is also correctly concerned that a project-based strategy could – if not implemented appropriately – encourage segregated rather than integrated housing.

However, there are several important housing policy considerations that the PBV program successfully addresses, including the following:

- In very tight rental housing markets with few vacant units, tenant-based vouchers often do not work. Creating affordable units using PBV ensures that some housing in the community will remain affordable despite the fluctuations of the private rental market.
- Neighborhoods undergoing revitalization often overlook the needs of the lowest-income people who live there. Project-based rent subsidies used as a neighborhood redevelopment tool can help create inclusive “mixed-income” neighborhoods and help ensure that some rental housing remains affordable for the long term.
- Non-profit affordable housing developers seeking to serve the lowest-income households need some type of project-based subsidy as a component of project financing. Without a PBV or some other type of project-based subsidy (e.g., Shelter Plus Care, etc.), rents in non-profit “affordable” housing developments are too high for people with disabilities with the lowest incomes. For example, non-profits must charge \$400 or more per month for rent just to cover operating costs while people who rely on federal Supplemental Security Income (SSI) payments can only afford to pay about \$200 each month for rent.

- The barrier-free or otherwise accessible units created in newer rental housing developments rarely have a rent subsidy attached. The PBV program can ensure that the lowest-income people with disabilities who need units with accessible features can actually rent them.
- ▶ Some people with disabilities may need and want access to community-based services and supports in order to obtain housing in the community and/or to help maintain that housing successfully. The permanent supportive housing model helps people to achieve these goals. During recent years, non-profit developers (as well as a few “enlightened” for-profit developers) have used project-based subsidies – including PBV – to create new permanent supportive housing units for people with disabilities.

For all these reasons, people within the disability community working on affordable housing issues need to understand how the PBV program can be used successfully to expand affordable and accessible rental housing for people with disabilities.

How Does the PBV Program Work?

Like any HUD program, the PBV rules are complicated. However the basics of the program are fairly simple:

- 1. The PBV program is an optional program that PHAs may or may not choose to implement.** A PHA can choose to operate a PBV program as an option. PHAs that elect to do so must amend their PHA Plan and Section 8 Housing Choice Voucher Administrative Plan to describe the types of housing to which the PHA will attach vouchers. Under HUD rules, when a PHA changes the PHA Plan, it must notify the public about the proposed changes and hold a public hearing at which the public may submit comments. In addition to the more informal types of outreach to PHAs discussed later in this issue of *Opening Doors*, the public hearing may be a good venue for advocates to address the housing opportunities that can be created for people with disabilities through the PBV program.
- 2. PHAs are permitted to project-base up to, but not more than, 20 percent of their voucher program’s budget authority.** Simply stated, this means about 20 percent of a PHA’s vouchers can be converted to PBV. Because the program rules are new, and the previous rules were difficult to work with, it is highly unlikely (although it is possible) that a PHA has reached the 20 percent limit. Some PHAs have not yet implemented the PBV program at all.
- 3. PHAs may commit PBV to “existing” units as well as to units in new construction or substantially rehabilitated projects.** For example, a PHA could decide to project-base one voucher to allow a rental in a single-family home or one unit in a 50-unit existing project. Or the PHA could decide to commit PBV to multiple units in a new construction/substantially rehabilitated project that has not yet been developed.
- 4. PHAs may commit PBV to units for a contract period ranging from 1-10 years and, in the final year, may extend that commitment for additional terms of 5 years each.** The ability to make commitments of 15 years or more makes the program more compatible with the federal Low Income Housing Tax Credit program and other programs that also produce “affordable” rental housing with affordability restrictions that extend for 15 years, 30 years, or more. Any multi-year PBV

The PBV Final Rule (“Federal Register, 24 CFR Part 983, Project-Based Voucher Program; Final Rule”) can be read in full online: [www.tacinc.org/ Docs/HH/ PBVrule.pdf](http://www.tacinc.org/Docs/HH/PBVrule.pdf)

commitment is subject to annual appropriations provided by Congress.

5. There are limits on the number of PBV that can be committed to any one building but there are also exceptions to these limits.

Understanding these exceptions is very important. *No more than 25 percent of the units in any one building may be PBV except that this limit does not apply to projects assisting people with disabilities, elderly households, or other families receiving supportive services.* Under this rule, buildings set aside exclusively for people with disabilities could have 100 percent of the units subsidized through PBV (i.e., 100 PBV committed to a 100 unit property set aside exclusively for people with disabilities). Advocates need to be vigilant to ensure that this exception to lower density requirements in the PBV program is **not** used to create large segregated buildings for people with disabilities.

6. PBV rules also promote tenant choice by permitting tenants who have lived in PBV units for at least one year to request a tenant-based voucher if they wish to move.

Under this rule, the PHA is required to provide the next available tenant-based voucher to a PBV tenant that wants to move out of a PBV unit they have lived in for one year or longer. The project-based voucher remains attached to the unit for the term of the contract between the owner and PHA. Of course, if too many tenants in PBV units want to move, the wait for a tenant-based voucher could be a long one and the PHA may decide that the PBV program is too “complicated” to manage. However, if PHAs limit their project-based activities to highly desirable projects, turnover can be minimized.

Part Two – How Can PBV Expand Housing Opportunities for People with Disabilities?

The PBV program can help expand housing opportunities for people with disabilities in a number of ways. However, as stated above, it can also be used to create large segregated housing models for people with disabilities. People with disabilities and their housing advocates need to understand how the program works and advocate with their PHAs to ensure that the program creates the type of rental housing that people with disabilities want and need.

PBV Units Set Aside for People with Disabilities

One of the most important features of PBV is that rental housing units can actually be set aside exclusively for people with disabilities – ensuring that people with disabilities benefit in every possible way from the voucher program. There are several excellent reasons why PBV set-aside units work:

- As mentioned above, PBV can be committed to barrier-free/accessible units in the rental housing market. The disability community is well aware that these units are not always rented to people with disabilities, primarily because the rents are usually not affordable. Project-basing vouchers for accessible units in existing, newly constructed, or substantially rehabilitated housing created through the Low Income Housing Tax Credit program ensures that they will be reserved for people with the lowest incomes who need the accessible features of these units.
- PBV can be used to secure a set-aside of units for people with disabilities in rental

People with disabilities and their housing advocates need to understand how the program works and advocate with their PHAs to ensure that the program creates the type of rental housing that people with disabilities want and need.

housing developed by non-profits using federal programs such as HOME or Community Development Block Grant (CDBG) funds. Localities granting these funds to non-profit and faith-based housing groups could require that a portion of HOME or CDBG funds be used in conjunction with PBV, provided there is a structured partnership with the PHA to obtain these subsidy commitments.

- PBV can be used as an effective remedy for past housing discrimination against people with disabilities by PHAs. Recently, the Maryland Disability Law Center – the state Protection and Advocacy organization – signed a consent decree with the Housing Authority of the City of Baltimore that requires the PHA to provide 1,850 new housing opportunities for people with disabilities who were denied access to the elderly/disabled public housing units owned by the Housing Authority. Included in the 1,850 units will be 500 PBV scattered-site units set aside as a permanent supply of housing for people with disabilities for a ten-year period.
- PBV can be used to secure units set aside for people with disabilities in existing rental housing that particularly meets their needs. For example, high quality rental units near public transportation or near community services such as health care facilities, can be impossible to find. Securing these units on behalf of people with disabilities with a long-term PBV contract – particularly during high vacancy periods when landlords are more willing to negotiate – is an excellent housing strategy.

PBV and Permanent Supportive Housing

The PBV program can also be used to create new units of permanent supportive housing.

In fact, the new HUD PBV rules make it much easier for PHAs to target PBV for supportive housing projects, to create set-asides of supportive housing units in multi-family rental projects, and to create tenant selection policies that work for supportive housing units.

Permanent supportive housing is decent, safe, and affordable permanent rental housing that is linked in some way with **voluntary** community-based services and supports wanted and needed by people with special needs living in the community. Permanent supportive housing can serve a number of different groups including elderly households, family households with special needs, as well as people with serious and long-term disabilities.

Permanent supportive housing is a model that grew out of successful efforts to assist people with disabilities who were homeless to obtain and maintain permanent housing. Increasingly recognized as an “evidenced-based best practice,” the permanent supportive housing approach is being implemented by many cities and states interested in cost-effective strategies to expand housing opportunities for people with the most serious and long-term disabilities.

Although permanent supportive housing can be tenant-based as well as project-based, many non-profits groups have developed project-based models to ensure that a permanent supply of housing linked with services can be maintained over the long-term. Because permanent supportive housing assists the most vulnerable people with the lowest incomes, rent subsidies are essential to ensure affordability.

PBV Subsidies Needed to Expand Supportive Housing

Early permanent supportive housing development efforts in the late 1980s and early 1990s were implemented using HUD’s flexible McKinney-Vento Homeless Assistance rent subsidies. However, McKinney-Vento programs, such as Shelter Plus Care and the

Because permanent supportive housing assists the most vulnerable people with the lowest incomes, rent subsidies are essential to ensure affordability.

Supportive Housing Program, can only help people who are already homeless. HUD's other supportive housing subsidy program – Section 811 Supportive Housing for Persons with Disabilities – does not have these homeless restrictions, but funds only 1,000 new units each year. As the demand for permanent supportive housing increased in many cities and states, it became clear that another source of project-based rent subsidy funding was essential.

During the mid-1990s, supportive housing advocates began to explore whether the Section 8 project-based “certificate” program – a program similar to PBV that was in effect at that time – could provide these subsidies. The details about this “old” program are not important because it had many problems and no longer exists. However, the problems do explain the extraordinary

level of advocacy that took place to create the new PBV program, which Congress enacted in 2000. But even with a new PBV program in place, it was not until the publication of the HUD PBV Final Rule in October 2005 that PHAs received the guidance they needed to proceed with permanent supportive housing development using PBV.

PBV Permanent Supportive Housing Tenant Selection: A Critical Issue

For permanent supportive housing projects to be effective in addressing community needs, PHAs and owners must be able to select tenants who need and want the services offered

The following organizations and individuals participated in the advocacy effort leading to the publication of the Project-Based Voucher program Final Rule, and specifically to the supportive services provisions that will help facilitate the expansion of permanent supportive housing:

- American Association on Mental Retardation
- American Association of People with Disabilities
- American Network of Community Options and Resources
- The ARC of the United States and United Cerebral Palsy Disability Policy Collaboration
- Bazelon Center for Mental Health Law
- Boston Center for Independent Living
- Consortium for Citizens with Disabilities Housing Task Force
- Corporation for Supportive Housing
- Easter Seals
- Henry Korman, The Community Builders
- Housing Authority of the City of New Haven
- Law Office of Elizabeth K. Julian
- Magar & Milstein
- Melville Charitable Trust
- National AIDS Housing Coalition
- National Alliance to End Homelessness
- National Alliance for the Mentally Ill
- National Association of Housing and Redevelopment Officials
- National Association of Protection and Advocacy Systems
- National Leased Housing Association
- National Low Income Housing Coalition
- National Mental Health Association
- Paralyzed Veterans of America
- Rod Solomon, Hawkins Delafield & Wood LLP
- Technical Assistance Collaborative
- United Cerebral Palsy
- United Spinal Association (formerly Eastern Paralyzed Veterans Association)
- Volunteers of America

in conjunction with the housing. In addition, government health and human services agencies committing services financing as well as service providers participating in the project want assurances that the supportive housing units will be occupied by tenants who meet the eligibility criteria for the services. Otherwise, there are no incentives for them to participate.

PBV tenant selection practices must also comply with all applicable civil rights/fair housing laws and safeguards. Section 504 of the Rehabilitation Act (an extremely important law that protects the civil rights of people with disabilities) and the Housing Choice Voucher regulations both prohibit tenant selection preferences that limit occupancy to “persons with a specific disability.”

Until October of 2005, PHAs and developers working together to use the PBV program for permanent supportive housing struggled to figure out how appropriate tenant selection policies for permanent supportive housing projects could target people who needed and qualified for the supportive services offered in conjunction with the housing without violating Housing Choice Voucher regulations. While HUD Headquarters did approve waivers for a few supportive housing projects, it was clear that seeking waivers caused delays and did not provide the policy direction that PHAs needed.

Beginning in 2003, supportive housing advocates, disability organizations, disability rights attorneys, and PHAs joined forces in a national effort to help HUD create new tenant selection policies in the PBV Final Rule. The goal was to have a policy that worked for permanent supportive housing developers and PHAs **and** also protected the rights of people with disabilities. This advocacy coalition’s recommendations were incorporated by HUD in the October 2005 Final Rule and are highlighted in the following section.

It is important for permanent supportive housing advocates and the disability community to know exactly what the PBV Final Rule says about tenant selection preferences in PBV housing that also provides supportive services.

About Tenant Selection Preferences in Permanent Supportive Housing

It is important for permanent supportive housing advocates and the disability community to know **exactly** what the PBV Final Rule says about tenant selection preferences in PBV housing that also provides supportive services because:

- PHAs may not have read the Final Rule or may not have focused on the supportive services provisions;
- PHAs may not have taken steps to amend the PHA Plan or Section 8 Housing Choice Voucher Administrative Plan to add a PBV component to their voucher program;
- Some HUD staff in local Field Offices may be unfamiliar with the supportive services provision of the PBV Final Rule and raise concerns with PHAs preparing to implement permanent supportive housing projects; and
- PHAs and disability service providers must understand that some models of housing and services – including group homes that have mandatory service programs – **cannot** work under the PBV rules.

The specific provisions of the PBV Final Rule that pertain to permanent supportive housing projects include the following:

Sub-part F – Occupancy, Section 983.251(d) entitled “Preferences for services offered” states:

“In selecting families [NOTE: this includes individuals as well as 2+ person households], PHAs may give preference to disabled families who need services offered at a particular proj-

ect in accordance with the limits under this paragraph. The prohibition on granting preferences to persons with a specific disability at 24 CFR 982.207(b)(3) continues to apply.”

The rule immediately goes on to say three very important things about preferences and supportive services:

(1) Preference limits.

(i) The preference is limited to the population of families (including individuals) with disabilities that significantly interfere with their ability to obtain and maintain themselves in housing;

(ii) Who, without appropriate supportive services, will not be able to obtain or maintain themselves in housing; and

(iii) For whom such services cannot be provided in a non-segregated setting.

(2) Disabled residents shall not be required to accept the particular services offered at the project. [Emphasis added]

(3) In advertising the project, the owner may advertise the project as offering services for a particular type of disability; however, the project must be open to all otherwise eligible persons with disabilities who may benefit from services provided in the project.

It is important to point out that this supportive services preference **cannot** be applied to all PBV housing that includes units targeted to people with disabilities but only to a sub-set of people with disabilities. As is clearly stated in the portion of the HUD rule quoted above – and as required by federal fair housing laws – the preference is limited to people with serious and long-term disabilities that “significantly interfere with their ability to obtain and maintain themselves

in housing” and who need the services to be successful in housing. Moreover, the services offered must be voluntary, which is also consistent with applicable landlord/tenant law and tenancy rights as granted in a standard lease.

Of course, no HUD Final Rule is perfect. The text above implies that permanent supportive housing projects only serve one disability subpopulation (e.g., people with mental illness, etc.). Supportive housing providers know this is not necessarily true. Many permanent supportive housing initiatives are targeted to people with different disabilities who have a common need for some service – such as housing support.

The disability community understands that not all people with disabilities, and not all people with the same type of disability (e.g., all people with mental illness), want, need, or qualify for the same services. Support service funding is highly categorical – some people are eligible and some people are not. The PBV Final Rule implicitly recognizes that it is the qualification for the services offered in the housing – and the need and desire for those services – that makes permanent supportive housing work successfully.

What is important to remember is that PHAs can now implement PBV tenant selection policies to ensure that people with disabilities who need and want services, and who would have difficulty being successful in housing without these services, can now participate in the PBV program. These principles and practices are consistent with Fair Housing and other civil rights laws provided they are implemented properly.

The PHA Waiting List

The PBV Final rule also permits PHAs to maintain separate project-specific waiting lists for permanent supportive housing as well as all other PBV housing. This provision is essential to facilitate access to PBV supportive housing units by people who need and qualify for the services offered.

The Final Rule provides the PHAs with several waiting list options:

- PHAs may still operate with one waiting list for their **entire** voucher program even though the PHA administers both tenant-based vouchers and PBV;
- PHAs may operate a tenant-based voucher waiting list and a separate PBV waiting list for **all** PBV units; and
- PHAs may have project specific waiting lists for each PBV project, or for certain PBV projects.

Project specific lists for permanent supportive housing make sense. They prevent the delays that frequently could occur if a PHA referred an applicant who did not want or need the supportive services offered with a vacant PBV supportive housing unit. Under the old rules, PHAs would have been required to use their regular voucher program waiting list, which meant that they potentially were required to contact hundreds of applicants before finding an applicant who wanted and needed the housing and services provided.

There are protections in the PBV Final Rule that ensure that all households applying for vouchers know that they can also apply for PBV units as well as a tenant-based voucher. Similarly, people who apply for PBV permanent supportive housing units can also apply for a tenant-based voucher or another PBV unit if they so choose.

Is There Any Money for the PBV program?

The answer to this question is yes and no. The bad news is that Congress has not provided any funding for new vouchers for PHAs since 2002, except for certain categories of displaced tenants. No new PBV have been appropriated, despite the importance of this new program.

However, the Fiscal Year (FY) 2006 HUD budget provided \$15.4 billion in funding for the voucher program. Voucher experts from the Center on Budget and Policy Priorities have analyzed the 2006 budget carefully and believe that most PHAs may have sufficient funding to begin issuing “turnover” vouchers. Many PHAs have been “holding” turnover vouchers rather than re-issuing them because of the voucher program budget crisis that began in 2004.

The fact that PHAs may have turnover vouchers to issue could trigger a PHA decision to use some or all of those vouchers as PBV – and these decisions could be made at any time. PHAs can also enter into commitments with developers to provide PBV at a future time, provided they are confident that they will have PBV available when the project is ready for occupancy. Therefore, it is important for the disability community to engage PHAs now about how the PBV program can help create desperately needed affordable housing, accessible housing, and permanent supportive housing for people with disabilities.

The disability community should not let the PBV program's complexity deter them from a dialogue with PHAs about how PBV can be used to expand affordable and accessible housing as well as permanent supportive housing for people with disabilities.

Other Important Protections

It should also be noted that other provisions of the PBV Rule reinforce the rights of people with disabilities and should help prevent the PBV program from being used improperly. The most important provision is one cited earlier – the ability of a tenant in a PBV unit to request the next available tenant-based voucher and move out of a PBV unit after one year.

In other words, tenants of permanent supportive housing can “vote with their feet.” This feature of the PBV program should discourage those who want to use the PBV program inappropriately – particularly service providers who want to mandate the receipt of services as a condition of the housing. While the PBV rules specifically prohibit this practice, the rights of PBV tenants to “move on” with a tenant-based voucher should further discourage coercive models.

PHAs will also need to understand how the service programs will work in proposed permanent supportive housing projects. In particular, PHAs will be concerned that a high percentage of PBV supportive housing tenants will want to move after one year, increasing the demand for tenant-based vouchers from the PHA. By carefully selecting the permanent supportive housing units to be assisted with PBV, PHAs can avoid these problems.

Next Steps

The PBV program is complicated and this issue of *Opening Doors* only covers the basic program rules. However, the disability community should not let the program's complexity deter them from a dialogue with PHAs about how PBV can be used to expand affordable and accessible housing as well as permanent supportive housing for people with disabilities.

Reading through this issue of *Opening Doors* carefully is a good first step towards having an informed discussion with your PHA. Once

you understand the basics of PBV, make an appointment to see your PHA Executive Director or Housing Choice Voucher Program Administrator. Share this information with them, and emphasize the need to use PBV to expand housing opportunities for people with disabilities. Use data to back up your argument, including housing needs data from TAC's *Priced Out in 2004* publication, available online at www.tacinc.org/Pubs/PricedOutin2004.htm.

It will also help to ask the PHA certain questions so you can get a better idea of their future PBV plans. It's a good idea to get the answers in writing – because PHA plans for project-basing vouchers can change, depending on the opportunities that arise. Some basic questions include the following:

- Has the PHA already implemented the PBV program?
- If so, what is the current percentage of Housing Choice Voucher budget authority that is committed to the PBV program? Commitments means current PBV in existing units as well as PBV committed to projects that are not yet ready for occupancy.
- If not, has the PHA amended its PHA Plan and Housing Choice Voucher Administrative Plan to be able to implement PBV? If they have not yet taken these steps, are they planning to do so and when?
- If the PHA has implemented PBV, how many units now have PBV? Ask the PHA to provide you with a list of the units – which is public information.
- How many additional units could be created without exceeding the 20 percent limitation on PBV in the Housing Choice Voucher program and how many unleased and/or “turnover” vouchers could be made available (if any) for PBV during the coming year?

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- Have people with disabilities directly benefited from PBV? If so, how?
- Has the PHA considered implementing PBV to expand the availability of barrier-free and accessible housing for people with disabilities? If not, what other approach or strategy does the PHA use to link accessible units to people with disabilities who need them? PHAs are required to have voucher policies in place that help people who need accessible housing.
- Has the PHA considered using PBV to create new housing units for people with disabilities, including new permanent supportive housing? Are they willing to work in a partnership with disability organizations in order to learn more about how that could be done?

One Final Note

PHAs administering the Housing Choice Voucher program have gone through a tough couple of years managing unanticipated and harmful budget cuts. Both tenant and landlord relationships may have been adversely affected. It is important to keep this in mind when you meet with the PHA. They may not be eager to implement a new program until they learn more about it and understand **exactly** what is entailed.

Fortunately, many high-performing PHAs are already implementing PBV – using it for an array of innovative rental housing activities. The word will spread. State and national PHA conferences are featuring workshops on how to implement PBV. Urge your PHA to attend one.

If your PHA does not positively respond right away, get back to them in six months. If after reading this issue of *Opening Doors*, advocates determine that the PBV program could help address unmet housing needs of people with disabilities in their community, undertake a sustained grass roots advocacy campaign with other disability advocates to get it done!

Opening Doors

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