

# ACCESSIBLE, AFFORDABLE, INTEGRATED HOUSING

## A housing plan to free people with disabilities from unwanted institutional placement developed by the ADAPT Community



People with disabilities across the United States are forced into institutions, like nursing facilities, due to the lack of housing that meets their needs for accessibility, affordability, and integration. In many states, housing is the number one reason that people with disabilities, of all ages, are forced into institutions. Simply put, people with disabilities face a HOUSING CRISIS. There is little housing that is accessible, even less that is also affordable, and still less that is also integrated.

ADAPT demands that Congress and the President work together to implement the following solutions as part of a comprehensive strategy of ending the housing crisis that forces hundreds of thousands of people with disabilities into institutions.

### ACCESSIBLE

People with significant disabilities often cannot find housing that allows them to simply get in the front door. There are few requirements to build apartments and homes that are accessible and what requirements there are have been poorly enforced. Section 504 of the Rehabilitation Act of 1973 is rarely heeded by housing authorities and rarely enforced by The U.S. Department of Housing and Urban Development (HUD). The Fair Housing Amendments Act has limited impact and, again, enforcement is sparse. Many thousands of units that should have been accessible are not, due to the lack of enforcement.

Additionally, people with disabilities want and deserve accessible housing that is permanent, not temporary or transitional accessible housing that is provided in some situations.





In order to provide enough housing to meet the need for permanent accessible housing for people with disabilities currently living in the community and the hundreds of thousands who want to leave institutions, ADAPT demands that:

- HUD increase enforcement of existing Section 504 Accessibility requirements.
- HUD double the requirements of Section 504 for 10 years to make up for past failures in compliance: 10% of units to be built as mobility-disability accessible and 4% sensory-disability accessible.
- Congress and the President develop permanent funding for a “Barrier Elimination Trust Fund” for accessibility modifications for people transitioning out of facilities and those at risk of going into facilities. This fund shall be \$20,000,000 available to be spent annually, plus an increase tied to the Consumer Price Index (CPI). Fines for failure to comply with Section 504 and Fair Housing Amendments Act requirements could also be used to supplement this trust fund.
- Congress and the President enact the Inclusive Home Design Act (H.R. 4202 in the 110th Congress).
- HUD end the practice of funding townhomes. Townhomes are inaccessible by design. Our Government should not be in the business of funding any kind of project that absolutely discriminates against any population.

## AFFORDABLE

People with disabilities frequently live on very-low, fixed incomes. Only about 30% of people with disabilities are employed; the majority of these are working at low wage jobs. People with significant disabilities have even fewer opportunities for employment. People with disabilities are unable to afford much of the housing that is considered “affordable” by non-disabled standards. Many people with disabilities live well below 20% of Area Median Income (AMI).

People trapped in institutions receive a monthly “allowance” of approximately \$40, making it impossible to save enough for a security deposit or to buy the most basic necessities to move into the community, like furniture, curtains, bedding or cookware.

In order to make housing affordable to people with disabilities



moving out of institutions, ADAPT demands that:

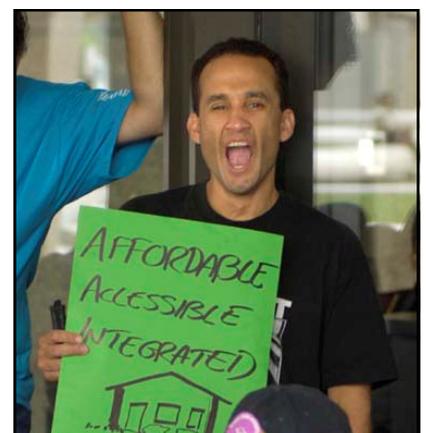
- Congress and the President create 5000 new housing vouchers each year for 10 years and target them to people transitioning out of nursing facilities or other institutions.

HUD and the Centers for Medicaid and Medicare Services (CMS) must work together to make sure that these vouchers go to people, regardless of type of disability or age, living in nursing facilities and other institutions. This cooperation has begun with implementation of the Money Follows the Person Demonstration program but needs to be vastly expanded.

- HUD establish policies and procedures to ensure that all these vouchers are tracked and continue to be targeted to people with disabilities when the vouchers are returned to the Public Housing Authorities (PHAs) after an individual is no longer eligible or in need.
- Congress and the President double the funding for construction of accessible, affordable, integrated housing to end the crisis that people with disabilities of all ages and disabilities confront when they seek a place to live.
- The HUD Secretary continue to issue periodic Public and Indian Housing (PIH) directives to PHAs strongly encouraging local preferences in their voucher programs for people trapped in nursing facilities.
- Mainstream and Fair Share vouchers that were turned into regular Housing Choice (formerly Section 8) vouchers, due to poor oversight by HUD and PHAs, be recommitted to people with disabilities. The Fair Share and Mainstream Voucher Programs were created to address the housing needs of very low income people with disabilities. However, many of these vouchers were lost to us, since they were never tracked and many Housing Authorities gave them to other populations.
- People in nursing homes and other institutions, regardless of disability or age, be nationally recognized as homeless.

In memos as far back as 1998, HUD recognized that the “needs of persons with disabilities are not met by beds in nursing homes or other service centered facilities.” Unfortunately, this wisdom has not been acted upon and people with disabilities are not eligible for the various housing programs available if a person is “homeless”. Many localities do not or will not make people with disabilities part of the preference given to those who are homeless. People with disabilities who are in unwanted institutional placements should be considered homeless and thereby be eligible to access more housing resources locally.

- HUD target resources to people at the lowest income levels and continue to provide vouchers to and fund housing development for people with disabilities with very low incomes.



# INTEGRATED

Legislative history from the turn of the century shows that people with disabilities have been viewed as everything from “unfit” to “dangerous” to a “detriment to normal society.” These views directly led to the establishment of our nation’s very long history of government imposed segregation of people with disabilities.

The housing options in this system of imposed segregation are large warehouse-like state operated institutions and smaller institutions, such as group homes. People with disabilities are considered “sick” and in need of treatment to be cured. The perception that people with disabilities need to be “treated” unfortunately continues in our society today. Housing options for people with disabilities, therefore, have resembled medical centers rather than what most people would call a home.



The vast majority of 811 housing funding currently builds housing that is segregated and institutional, for example, diagnosis-specific projects where only people with a specific type of disability are allowed to live. This is unacceptable.

In addition, efforts to remove people with disabilities from 202 Elderly housing started in the early 1990s and have resulted in further restricting the housing available to people with disabilities. This terrible discrimination for the “crime” of having a disability is sanctioned by the federal government. ADAPT opposes these 202 designation plans as they eliminate housing options for people with disabilities.

Our people want to live in the community, with their non-disabled peers, not in any of the various forms of “crip ghettos”. In order to accomplish this, ADAPT demands that:

- Congress and the President issue a directive to HUD that at least 50% of all new 811 funding must be used in integrated housing.
- Congress and the President issue a directive to HUD that not more than 25% of a new building/development can be funded by 811.
- HUD streamline the process for using 811 funding in integrated settings.
- HUD place a moratorium on 202 designation plans until the housing crisis for people with disabilities is over.
- HUD limit the size of “group homes” to no more than four individuals.
- Congress and the President eliminate the HUD Secretary’s ability to waive the limits on maximum number of residents in group homes and independent living facilities.

