



**CONSORTIUM FOR CITIZENS  
WITH DISABILITIES**

October 14, 2016

*VIA EMAIL*

Lourdes M. Castro Ramirez  
Principal Deputy Assistant Secretary, Office of Public and Indian Housing  
Department of Housing and Urban Development  
451 Seventh Street, S.W., Room 4100  
Washington, DC 20410

RE: Changes to Tenant Selection Preferences for Project-Based Assistance under  
the Housing Opportunities Through Modernization Act of 2016

Dear Principal Deputy Assistant Secretary Castro Ramirez,

We write as Co-Chairs of the Consortium for Citizens with Disabilities (CCD) Housing Task Force regarding implementation by the Department of Housing and Urban Development (HUD) of certain provisions of the Housing Opportunities Through Modernization Act of 2016 (HOTMA, P.L. 114-201).

CCD is the largest coalition of national organizations working together to advocate for Federal public policy that ensures the self-determination, independence, empowerment, integration and inclusion of children and adults with disabilities in all aspects of society.

This letter addresses the HOTMA provisions that pertain to creating supportive housing for persons with disabilities through the Project Based Voucher (PBV) program. The CCD Housing Task Force is particularly interested in prompt implementation of these provisions due to our longstanding goal to expand affordable, accessible housing for people with disabilities with the lowest incomes, including integrated permanent supportive housing for people who are chronically homeless, institutionalized, or most at-risk of these conditions. We plan to send future correspondence addressing other sections of HOTMA.

On behalf of the CCD Housing Task Force, we urge HUD to expedite the implementation of Section 106(a)(7)(B), which states:

“The agency or owner may establish preferences or criteria for selection for a unit assisted under this paragraph that are consistent with the public housing agency plan for the agency approved under Section 5A and that give preference to families who qualify for voluntary services, including disability-specific services, offered in conjunction with assisted units” [emphasis added].

This language clearly and unequivocally states that supportive services tenant selection preferences in the PBV program may include disability specific services such as those provided through optional and waiver provisions of the federal/state Medicaid program. These Medicaid-financed service models are increasingly being used by the states to increase community living opportunities for people with disabilities and to help states comply with community integration mandates of the Americans with Disabilities Act.

We urge HUD to proceed with implementation of this provision, along with the other provisions of Section 106 pertaining to the Project Based Voucher program, by issuing a Public and Indian Housing (PIH) PBV Notice as soon as possible. The provisions of Section 106 are extremely clear and require no changes to HUD contracts or the Paperwork Reduction Act. Equally important, the changes this legislation authorizes to the PBV program are intended to stimulate a significant expansion of integrated supportive housing by Public Housing Agencies (PHAs) to help to achieve HUD's goals of addressing *Olmstead*, ending homelessness including chronic homelessness, and assisting veterans and their families to obtain decent, safe and affordable housing.

As you know, the PBV provisions of HOTMA provide PHAs an important exception to the 20 percent "cap" on PBV assistance by allowing a PHA to dedicate up to 30 percent of their authorized units for PBV, provided the excepted units are dedicated to specific vulnerable populations, including homeless families, veterans and their families, and families (including disabled families) receiving voluntary supportive services. We understand public housing agency groups – specifically the Council of Large Public Housing Agencies, the National Association of Housing and Redevelopment Officials, and the Public Housing Agency Directors Association are also urging HUD to issue a PIH PBV Notice in order to facilitate implementation as soon as possible.

In closing, thank you for your leadership on the implementation of this important new law. We urge HUD to issue a PIH PBV Notice as soon as possible to implement Section 106. As noted earlier, we plan to send future correspondence regarding other sections of HOTMA.

Sincerely,

Andrew Sperling  
National Alliance on Mental Illness  
CCD Housing Task Force Co-Chair

T.J. Sutcliffe  
The Arc of the United States  
CCD Housing Task Force Co-Chair