

Opening Doors

A HOUSING PUBLICATION FOR THE DISABILITY COMMUNITY

MAY 1997 / ISSUE 1

FROM THE EDITORS

Today, in virtually every part of the United States, people with disabilities face an extreme crisis in the availability of affordable housing that meets their needs and desires. Far too many people with disabilities live in substandard housing or pay 50%-75% or more of their limited incomes for rent. Many others live at home with elderly parents or are forced to choose between restrictive congregate settings and homelessness. Still others remain in inappropriate institutional settings because there is no affordable housing available in the community.

What has caused this crisis, and what can be done about it? This and future issues of *Opening Doors* will examine the impact that local, state, and federal housing policies and programs have on the availability of affordable housing for

people with disabilities in local communities. *Opening Doors* will also outline practical action steps that can be taken at the local, state, and federal levels to preserve and expand affordable housing opportunities and choices for people with disabilities.

This first issue of *Opening Doors* will examine the severe impact that “elderly only” federal housing policies have had, and will continue to have, on the supply of decent and affordable housing for people with all types of disabilities nationwide.

The federal laws that now permit public and assisted housing providers to designate their housing units as “elderly only” represent the most dramatic shift in the allocation of federally subsidized housing resources in the recent history

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



What Does the Designation of “Elderly Only” Housing Mean for People with Disabilities?

At a time when people with disabilities are increasingly seeking affordable housing opportunities in their communities, profound changes to federal housing policies are reducing the supply of affordable housing available to them. Simply put, the federal government has changed the rules concerning who is eligible for housing assistance by permitting certain housing providers to designate their housing as “elderly only.” The CCD Housing Task Force estimates that 273,000 units of housing will no longer be available to people with disabilities by the year 2000. These changes to federal housing policies have caused confusion and concern in the disability community. People with disabilities, their

families, advocates, and service providers are struggling to understand which federal housing programs have been affected, how they have been affected, and what these changes mean for people who are trying to obtain affordable housing in their communities. This issue of *Opening Doors* will:

- Clarify the rules regarding the implementation of “elderly only” federal housing policies; and
- Offer specific recommendations for local action, including how to access new rental assistance available for people with disabilities.

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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 Lexi Turner or Ann O'Hara, Technical Assistance Collaborative Inc., One Center Plaza, Suite 310, Boston, Massachusetts 02108. Phone: 617-742-5657 or Fax: 617-742-0509.



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



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Nat'l Assoc. of Developmental Disabilities Councils	(202) 347-1234
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Intr'l Assoc. for Psychosocial Rehabilitation Services	(401) 730-7190
Nat'l Council for Community Behavioral Healthcare	(301) 984-6200
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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.

from the Editors

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of federal housing policy. People with disabilities will loose access to hundreds of thousands of federally subsidized housing units by the year 2000 as a result of these recent federal laws. In many communities, these housing units were the only affordable housing available to people with disabilities.

Regardless of the wisdom of this shift in federal housing policy, the debate must now center on the fairness issues raised by "elderly only" designation policies. Quite simply, given the acute housing crisis facing people with disabilities, how will the affordable housing units lost because of "elderly only" designation be replaced on a one-for-one basis?

Unfortunately, this debate has yet to occur in earnest. There has been little regard in Congress for what, if any, protections people with disabilities should have if a public housing agency decides to designate "elderly only" housing. Members of the disability community need to take immediate steps to change the nature and outcome of this housing debate. They must become better informed about the range of affordable housing resources that are available to all low income people in their communities. And specifically, they must become more knowledgeable and vigilant about the process of public and assisted housing designation.

We hope that this issue of *Opening Doors* will provide needed and timely information regarding "elderly only" housing designation. We also hope that this and subsequent issues of *Opening Doors* will support the disability community in its efforts to preserve and expand affordable housing opportunities for people with disabilities in communities throughout the country. To this end, future issues of *Opening Doors* will highlight examples of successful affordable housing advocacy on behalf of people with disabilities from around the country.

We are excited by the opportunity that *Opening Doors* provides to further the debate regarding affordable housing for people with disabilities. We encourage our readers to communicate their thoughts, ideas, problems, and successes to us.

The Editors

FROM THE PUBLISHERS

The Technical Assistance Collaborative, Inc. (TAC) and the Consortium for Citizens with Disabilities Housing Task Force (CCD Housing Task Force) are pleased to announce the publication of the first issue of *Opening Doors - A Housing Publication for the Disability Community*. *Opening Doors* is designed to provide important information on affordable housing issues to people with disabilities, their families, advocates, and service providers across the United States. Each quarterly publication will cover an important affordable housing topic and examine its impact on the ability of people with disabilities to acquire and maintain a decent, safe, and affordable apartment or home of their own.

The availability of affordable housing in local communities is greatly influenced by our elected and appointed officials in Washington D.C. These leaders formulate housing policy, increase or decrease appropriations, and develop the rules and guidelines for carrying out federal affordable housing programs.

However, we recognize that affordable housing is ultimately a local issue. It is affected by the actions of individuals and groups who come together to advocate for, or oppose, affordable housing activities in their communities. We also recognize that people with disabilities, their families, friends, advocates, and service providers often do not have the knowledge about affordable housing programs and policies needed to influence actions at the local, state, and federal level.

TAC and the CCD Housing Task Force are publishing *Opening Doors* to fill this critical knowledge and information gap. We also hope that *Opening Doors* will help bring the disability community together around the issue of affordable housing. People with mental retardation and other developmental disabilities, people with mental illness, people with physical disabilities, and people with AIDS all share a common need for assistance to obtain housing that is safe, decent, and affordable. It is our hope that *Opening Doors* will engender dialogue on affordable housing issues across the disability community, and will encourage the disability community to work collectively in local communities to achieve affordable housing solutions.

We would like thank the Melville Charitable Trust for sponsoring the publication of *Opening Doors* and its distribution to the CCD Housing Task Force members' chapters and affiliates nationwide. *Opening Doors* is also available on the internet at www.radix.net/~ccd/welcome.html. Limited follow-up technical assistance is available from the housing staff at TAC or from the CCD Housing Task Force member organizations listed on page 2.

FOR MORE
INFORMATION OR
LIMITED TECHNICAL
ASSISTANCE ON
HOUSING FOR PEOPLE
WITH DISABILITIES
PLEASE CONTACT:
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TASK FORCE MEMBER
ORGANIZATION LISTED
ON PAGE 2.



What Does Designation Mean?

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BACKGROUND

The changes in federal housing policy that allow “elderly only” housing designation dramatically affect two universes of affordable housing. These are:

1. Privately owned and federally assisted housing developments (federally assisted housing), including approximately **650,000 efficiency and one bedroom units typically referred to as elderly/disabled housing**; and
2. Public housing buildings owned and managed by Public Housing Authorities, including approximately **535,000 efficiency and one bedroom units of elderly/disabled housing**.

For the last 20 years, federal law required that efficiency and one bedroom units in public housing and federally assisted housing be made available to elderly households (where the head of household is 62 years of age or older) and disabled households (where the head of household or spouse is under 62 years of age and has a disability) *on an equal basis*. Since the late 1970s, the number of people with disabilities applying for and moving into these public and assisted housing units has grown significantly. This movement has been supported by the increasing availability of community-based services and supports and by the housing protections afforded people with disabilities under the Fair Housing Act Amendments of 1988 and Section 504 of the Rehabilitation Act of 1973.¹

Despite the growing demand for a range of affordable housing opportunities by people with disabilities, no additional federal affordable housing resources were made available to support community integration. With few other choices available, the percentage of younger people with disabilities living in buildings with the elderly continued to increase. Poor housing management and cuts in social programs left many elderly tenants and tenants with disabilities in deteriorating environments without needed support services. This was especially true in much public housing. Tensions grew between advocates for the elderly and advocates for people with disabilities. Sensationalist media stories fueled stereotypes about people with disabilities. Many of these stories unfairly assigned them much of the blame for the unsafe and

deteriorating housing conditions about which residents were complaining. The problems with poor management and underfunding were largely ignored as people with disabilities were targeted.

NEW LAWS PERMIT DESIGNATION

In reaction, in 1992 and in 1996, Congress passed two laws that permit federal housing providers to limit or exclude people with disabilities from their housing by designating it as “elderly only.” Briefly these laws:

1. Allow owners of federally assisted housing to change their tenant selection policies to limit or exclude younger people with disabilities from their housing *without prior approval from the U.S. Department of Housing and Urban Development (HUD)*; and
2. Allow PHAs to designate all or parts of public housing buildings as “elderly only” or “disabled only” with *submission of a plan that requires HUD approval*.

The enactment of the Housing and Community Development Act of 1992 (Public Law 102-550) and the Housing Opportunity Program Extension Act of 1996 (Public Law 104-120) has meant that thousands of people with disabilities who were on waiting lists for federal public and assisted housing are no longer eligible to move into that housing. Many others who would have applied for residence in that housing are no longer eligible to do so. For many people with disabilities, the only supply of federally subsidized housing, and often the only supply of accessible housing, available in their community has been taken away.

PROTECTIONS FOR CURRENT RESIDENTS

These laws do prohibit PHAs and assisted housing providers from evicting or otherwise moving lawful tenants against their will in order to implement “elderly only” designated housing. *Current tenants are not affected by designated housing policies and should not agree to accept any offers of relocation benefits unless it is their clear choice to do so.*

Prior to accepting any relocation offer, current tenants with disabilities should make sure that the alternative housing being offered is comparable (in as nice and convenient a location, accessible if necessary, as safe, and affordable) to their current housing situation, and that all expenses associated with the relocation will be paid for by the housing agency.

"ELDERLY ONLY" DESIGNATION IN FEDERALLY ASSISTED HOUSING

Unlike most public housing projects that are usually easy to identify, the 650,000 efficiency and one bedroom units in federally assisted housing throughout the country are often not recognized as subsidized housing. These housing projects are developed, owned, and managed by a network of private for-profit and non-profit companies. The properties are usually attractive and desirable rental complexes that do not bear the stigma associated with public housing. For many people with disabilities, these federally assisted housing developments provide decent, affordable, and if needed, accessible, apartments in safe neighborhoods.

As noted above, federal law now permits owners of these federally assisted housing units to restrict or exclude the admission of people with disabilities under age 62 into their housing without seeking HUD approval.² The CCD

Housing Task Force estimates that by the year 2000, over 150,000 people with disabilities may be shut out of federally assisted housing due to the implementation of "elderly only" housing policies.

COMPLICATED HUD GUIDELINES

This significant loss of federally assisted housing has been compounded by complicated implementing guidelines provided to owners after the law passed. Depending on the type of federal subsidy in their housing development, some owners³ are required to maintain a percentage of their units (up to 10%) for people with disabilities under age 62. Others are not subject to any "set-aside" requirements,⁴ and may change their tenant selection policies to exclude younger people with disabilities from moving into their housing all together.

Despite the complexity of these guidelines, and the potential for intended and unintended housing discrimination against younger people with disabilities, HUD has yet to organize any effort to monitor compliance. The new regulations have been difficult, if not impossible, for people with disabilities, their advocates, and service providers to understand. Many assisted housing project managers themselves acknowledge that they do not know whether they are required to set aside units or not.

TAC Survey of Assisted* Housing Providers in Oakland County, Michigan

Approximate # of units available to people with disabilities prior to 1992	5,000
Approximate # of units available to people with disabilities based on TAC survey March, 1997	2,000
Approximate # of units lost to people with disabilities since 1992	3,000
Percentage of assisted housing units lost to people with disabilities because of "elderly only" housing policies	60%

* includes federal and state assisted housing

WHAT CAN YOU DO IN YOUR LOCAL COMMUNITY?

1. Develop a working knowledge of the federally assisted housing inventory in your community. Lists of these developments are available by request from the asset management department of your local HUD field office (listed on the HUD Homepage www.hud.gov/home.html).
2. Identify properties for which people with disabilities are no longer eligible as individuals encounter "elderly only" tenant selection policies during the application process and estimate the loss of units anecdotally.
3. If you have the time and resources, consider a more systematic survey as was done by TAC in Michigan (see highlight on page 5).

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What Does Designation Mean?

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4. Enlist the assistance of legal advocates who can help to:
 - a) Protect the tenancy rights of people with disabilities in these developments despite changes in tenant selection policies; and
 - b) Identify and monitor those owners who are required to keep a percentage of their units available to people with disabilities.

Keep in mind that the number of units lost, and the impact of this loss on real people with disabilities, is powerful information that can help the on-going effort to advocate for more affordable housing for people with disabilities locally and nationally.

“ELDERLY ONLY” DESIGNATION IN PUBLIC HOUSING

Public Housing Authorities (PHAs) are now allowed to designate some or all of their elderly/disabled public housing buildings “elderly only.” To do so, PHAs must submit an Allocation Plan to HUD for approval. An Allocation Plan provides *very limited* protections to people with disabilities as PHAs designate “elderly only” housing.

At a minimum a PHA’s Allocation Plan must:

- Explain why designation is necessary and consistent with local housing needs in its community;
- Describe the project(s) to be designated;
- Describe any plans to secure additional resources or housing assistance for individuals who may have been housed if not for designation; and
- Describe the treatment of current residents, such as offers of comparable housing and relocation costs to people who agree to relocate.

FEW PROTECTIONS FOR PEOPLE WITH DISABILITIES

Unfortunately, the protections initially provided for people with disabilities have been steadily eroded over the past four years in the face of strong pressure by PHAs and advocates for the elderly to simplify the process of “elderly only” designation.

For example, PHAs are no longer expected to ensure a one-for-one replacement of housing units permanently

lost to people with disabilities because of “elderly only” designation. A PHA must only make *reasonable efforts* to secure alternative housing resources for people with disabilities at a comparable level to those that will be lost. Reasonable efforts are loosely defined and may even include documentation that comparable resources simply do not exist in the community.

In addition, *PHAs are no longer required to consult with members of the disability community during the planning process*, nor are they required to provide any public notice of their decision to designate some or all of their housing “elderly only.” Without the involvement of the disability community, few PHAs are likely to be aware of the extent and type of housing need experienced by people with disabilities in their communities, and therefore may underestimate or misrepresent this need.

Projected Loss of Public Housing from “Elderly Only” Designation

HUD estimate of units already designated “elderly only” (based on 46 approved Allocation Plans)	20,000
Estimate of units to be designated “elderly only” during the next 12 months (based on HUD estimate of 174 new PHA Allocation Plans)	78,996
Projected loss of public housing units from PHA Allocation Plans through March 1998	98,996

THE CONSOLIDATED PLAN

Finally, PHAs choosing to designate “elderly only” housing are directed by HUD to justify this decision using housing needs data from their community’s Consolidated Plan. The Consolidated Plan (ConPlan) is a federally mandated housing and community development strategy that cities, counties, and states submit to HUD to receive federal affordable housing and community development funding. Unfortunately, despite the fact that PHAs are directed by HUD to use the housing needs data in the ConPlan, there are currently no requirements that a community’s ConPlan address the need for “elderly only” designated housing, and very few, if any, do.

Without specific housing needs information available from the ConPlan, or any requirement to consult with the disability community, PHAs are free to provide *their own* estimates of the housing needs of people with disabilities in the Allocation Plan. In their rush to designate, it is questionable how accurate these PHA estimates of housing need will be.

NEW LEGISLATION

New legislation being considered by Congress would further weaken the protections for people with disabilities in the designation process. One bill (H.R. 2) would eliminate the requirement for a separate PHA Allocation Plan altogether. Under this scenario, given the multitude of problems that many PHAs are presently facing (such as problems with crime and reduced federal funding) designation of “elderly only” housing is unlikely to receive the attention it needs. As this issue of *Opening Doors* goes to press, the future of H.R. 2 is still under debate.

“DISABLED ONLY” DESIGNATION IN PUBLIC HOUSING

PHAs may also designate “disabled only” housing. “Disabled only” housing can be a small building with a few units, or a high rise building with hundreds of units - the law does not specify density limitations. The law also does not preclude PHAs from locating “disabled only” housing in areas considered unsafe for elderly households. The 1992 law required a PHA to demonstrate that members of the disability community supported the creation of “disabled only” housing before such a designation would be approved by HUD, but as with many others, this protection was eliminated in 1996.

In addition, the implementation of “elderly only” housing may de facto result in the creation of stigmatizing and segregated housing exclusively for people with disabilities even without the PHA officially designating this housing “disabled only.” Also, be aware that PHAs may begin “steering” people with disabilities to certain public housing developments in anticipation of “elderly only” designation. Steering is against the law.

WHAT CAN YOU DO IN YOUR LOCAL COMMUNITY?

Members of the disability community, particularly at the grass roots level, still have an opportunity to influence the outcome of “elderly only” designation in public housing.

1. Contact your PHA and find out if your the agency is preparing an Allocation Plan, and get involved (see chart below).
2. Ally yourself with other disability advocates or organizations. “Elderly only” housing designation affects all people with disabilities.

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FOR MORE
INFORMATION OR
LIMITED TECHNICAL
ASSISTANCE ON
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What Does Designation Mean? *continued from page 7*

3. Arm yourself with housing needs data (e.g., numbers of people with disabilities on PHA waiting lists, in PHA housing, living in congregate housing, living with aging parents, or living in institutions awaiting discharge) in order to make the case for needed housing resources in the face of the loss of public housing units due to designation.
4. Remind the PHA that alternative resources should be provided to people with disabilities in proportion to the loss - *on an ongoing basis*. For example, a PHA can give preference to people with disabilities for turnover Section 8 rental subsidies, or can include a few units for people with disabilities in any planned housing rehabilitation or new development activities.
5. Oppose any PHA attempts to segregate people with disabilities in housing that does not meet their needs and desires.
6. Work with your PHA to apply for the new rental assistance that is available for people with disabilities impacted by "elderly only" housing designation (see chart on page 10).
7. If you do not support the PHA's Allocation Plan, provide written comments to the HUD Office of Public and Assisted Housing Operation (Room 4206, 451 Seventh Street, S.W. Washington, D.C. 20410). Get others to express their opposition in writing as well. Provide as much housing needs data as you can to describe the nega-

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Bay City, MI
Bucks County, PA
Burleigh County
Bismarck, ND
Chanute, KS
Charleston, WV
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Crowley, LA
Cumberland
County, PA
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Imperial Valley, CA
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Springfield, OH
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HA (Corinth, MS)
Wheeling, WV
Wilmington, DE
Worcester, MA
Youngstown, OH

PENDING
APPROVAL (12)

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Brunswick, ME
Butler, PA
Cambridge, MA
Covington, KY
Dover, NH
Lakewood, NJ
Morgan City, IL
Philadelphia, PA
Peoria, IL
Pawtucket, RI
Santa Barbara, CA

* Reported by HUD as of April 3, 1997

tive impact that housing designation will have on younger people with disabilities in your community. HUD will consider comments received regarding an Allocation Plan even if submitted separately from it.

8. Forward information on your activities to your national headquarters in Washington - keep them informed of your local efforts!

NEW RENTAL ASSISTANCE TARGETED TO PEOPLE WITH DISABILITIES

On a more optimistic note, Congress has begun to address the loss of federal assisted and public housing units for people with disabilities. In 1996 and 1997, Congress appropriated Section 8 tenant-based rental assistance specifically for people with disabilities.

The chart on page 10 highlights the rental assistance funding that is currently available, including \$98.5 million available in 1997.

It is important to be aware that PHAs who are not designating “elderly only” housing may still apply for the rental assistance in support of designated housing Allocation Plans. The PHA must be willing to submit an Allocation Plan to HUD that indicates their intent to maintain their public housing for *elderly and disabled households*. This is an effective strategy for getting additional housing resources for people with disabilities in your community without losing access to existing public housing units.

While the availability of 14,700 new rental subsidies is certainly good news, it only begins to offset the loss of federal public and assisted housing for people with disabilities that is occurring as the result of “elderly only” housing policies. The housing crisis facing people with disabilities underscores the need for the proactive involvement of all members of the disability community. Collectively, we can make a difference in protecting the supply of federal public and assisted housing available to people with disabilities. And ideally, the action steps outlined in this article are just the beginning of a broader

About Section 8 Rental Assistance

SECTION 8 RENTAL ASSISTANCE IS AN IMPORTANT AFFORDABLE HOUSING RESOURCE FOR PEOPLE WITH DISABILITIES BECAUSE...

- It provides decent, safe, and affordable permanent housing.
- It makes rental housing in the private market affordable to people with very low incomes.
- Tenants typically pay 30% of their income for rent and utilities.
- It gives people with disabilities the opportunity to choose housing and neighborhoods that meet their preferences.
- It promotes community integration for people with disabilities.

YOU SHOULD ALSO KNOW THAT...

- Over 200,000 people with disabilities currently participate in the Section 8 program throughout the country.
- Section 8 rental assistance must be administered by a public housing authority (PHA) or an agency designated by the PHA. Some state housing agencies also administer Section 8 programs.
- PHAs must be willing to apply for new Section 8 certificates and vouchers - they are not required by HUD to apply.
- With some exceptions, PHAs must first offer new Section 8 resources to applicants with disabilities on their waiting lists before they can open their waiting lists to new applicants with disabilities.

effort to expand affordable housing opportunities for people with disabilities in our communities. ■

1. The FHA Amendments of 1988 and Section 504 of the Rehabilitation Act prohibit discrimination in private market or federally subsidized housing.
2. Units constructed or modified for persons needing accessible or barrier-free housing may still be offered to people with disabilities under age 62 despite “elderly only” tenant selection policies.
3. Includes owners of developments subsidized by any of the following:
 - 1) Section 8 New Construction program (without HUD Insurance);
 - 2) Section 8 Substantial Rehabilitation program (without HUD Insurance);
 - 3) State Housing Agency program;
 - 4) New Construction Set-Aside for Section 515 Rural Rental Housing; and
 - 5) Section 8 Housing Assistance Program for Disposition of HUD-Owned Properties.
4. These include:
 - 1) Section 202 projects;
 - 2) Section 221(d)(3) Below Market Interest Rate projects; and
 - 3) Section 236 Mortgage Insurance and Interest Reduction Payment projects.

New Rental Assistance for People with Disabilities

Notice of Funding Availability (NOFA)	NOFA for Rental Assistance for Persons with Disabilities in Support of Designated Housing Allocation Plans	NOFA for Mainstream Housing Opportunities for Persons with Disabilities	NOFA for Rental Assistance for Persons with Disabilities in Support of Designated Housing Allocation Plans and Establishment of Preferences for Certain Section 8 Developments
Date Published in Federal Register	October 30, 1996	April 10, 1997	April 10, 1997
Funding	<p>\$78.6 million:</p> <ul style="list-style-type: none"> ■ \$ 20.3 million of 2 year Section 8 rental assistance or 2,000 units; and ■ \$58.3 million of 5 year Section 8 rental assistance or 2,300 units 	<p>\$48.5 million of 5 year Section 8 rental assistance or 2,000 units</p>	<p>\$50 million:</p> <ul style="list-style-type: none"> ■ \$25 million of 1 year Section 8 rental assistance or 4,200 units in support of Allocation Plans; and ■ \$25 million of 1 year Section 8 rental assistance or 4,200 units to assist people no longer eligible for Section 8 assisted housing developments
Application Deadline	No application deadline - funding is available on a first-come, first-serve basis	June 9, 1997	No application deadline - funding is available on a first-come, first-serve basis
Eligible Applicants	PHAs who administer the Section 8 program and who concurrently submit an Allocation Plan to designate their housing	All PHAs who administer the Section 8 program	PHAs who administer the Section 8 program and who concurrently submit an Allocation Plan to designate their housing; or PHAs that demonstrate need for housing based on loss of federally assisted units due to "elderly only" preferences

WASHINGTON

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RECENT CONGRESSIONAL ACTIONS - AUTHORIZING LEGISLATION

H.R. 2 - The Housing Opportunity and Responsibility Act of 1997. If enacted in its current form, this bill in the House of Representatives would make it easier for PHAs to designate “elderly only” and/or “disabled only” housing. H.R. 2 eliminates the PHA Allocation Plan requirements now in effect and incorporates all “elderly only” and/or “disabled only” designated housing activities within a new Local Housing Management Plan. If enacted, H.R. 2 would further reduce the protections provided to people with disabilities when public housing is designated “elderly only” or “disabled only” housing.

S. 462 - The Public Housing Reform and Responsibility Act of 1997. This bill in the Senate maintains the current PHA Allocation Plan process and the limited protections for people with disabilities when PHAs attempt to designate “elderly only” or “disabled only” housing.

Both H.R. 2 and S. 462 have been filed as the latest effort to enact Public Housing Reform legislation in the Congress.

RECENT CONGRESSIONAL ACTIONS – FUNDING – HUD’S FY 1998 BUDGET REQUEST

Section 8 funding - Last year, there was a bi-partisan effort in the Congress to provide \$50 million in new Section 8 funding for people with disabilities impacted by the implementation of “elderly only” housing. This funding is now available to PHAs through the Notice of Funding Availability highlighted on page 10.

Unfortunately, HUD did not request funds in its 1998 budget to provide additional Section 8 certificates and vouchers for people with disabilities despite clear evidence that the supply of federal public and assisted housing available to people with disabilities is declining at a rapid rate.

Section 811 funding - HUD also requested less funding for the Section 811 Supportive Housing for Persons with Disabilities program for FY 1998. HUD’s budget submitted to Congress included only \$174 million for the Section 811 program - a \$20 million cut from FY 1997, and a 50% cut from several years ago.

During the Congressional appropriations process now underway, people with disabilities and their advocates are requesting that Congress appropriate \$50 million in additional Section 8 funding for people with disabilities and provide additional funding for the Section 811 program.

Opening Doors

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