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TECHNICAL ASSISTANCE
COLLABORATIVE, INC. (TAC)
AND THE CONSORTIUM FOR
CITIZENS WITH DISABILITIES
(CCD) HOUSING TASK FORCE



Special Funding Alert

9,800 Section 8 Housing Choice Vouchers for People with Disabilities Available

Introduction

On March 26, 2002, the U.S. Department of Housing and Urban Development (HUD) released a Super Notice Of Funding Availability (Super NOFA), which includes most of the new permanent housing funding opportunities in HUD's fiscal year 2002 budget. This year, funds are available to support over 9,800 new Section 8 Housing Choice Vouchers for people with disabilities.

This special issue of *Opening Doors* focuses primarily on a very important Section 8 funding opportunity – the 3,950 Section 8 vouchers for people with disabilities that Congress created for Public Housing Agencies (PHAs) designating elderly/disabled buildings as “elderly only.” (For more information on the elderly only designation process, see issue 15 of *Opening Doors* available at www.tacinc.org). Unfortunately, despite the clear intent of Congress to assist people with disabilities, some PHAs eligible to receive these vouchers have neglected to apply for them.

HUD highlighted this problem in a recent federal publication, *Delivering on the Promise*, which identifies key barriers to community integration for people with disabilities. In this report, HUD states that “some PHAs are not requesting an adequate number of vouchers to meet the housing needs of non-elderly disabled families affected by designated housing plans.”

Featured in this Funding Alert are:

- Strategies for the disability community to urge PHAs to apply for all available

Section 8 Vouchers, including two other set-asides of Section 8 vouchers for people with disabilities;

- An outline of how non-profit disability organizations can apply directly to administer vouchers through one of these set-asides; and
- A brief overview of other available HUD funding opportunities.



More information on how to apply for all of these resources can also be found at www.tacinc.org.

Elderly Only Designation Linked to Section 8 Vouchers

Since 1995, the nation's PHAs have been able to designate federal public housing buildings as elderly only. Once this designation occurs, people with disabilities under age 62 are no longer permitted to move into the properties that have been designated (even if they have been on the waiting list for years) unless there are no elderly households on the waiting list.

Because elderly only designation has obvious negative consequences for people with disabilities, each year since 1997, Congress has provided new Section 8 vouchers for people with disabilities who are adversely affected when units in public housing buildings are designated elderly

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Opening Doors

A housing publication for the disability community

OPENING DOORS is published as a joint effort by the Technical Assistance Collaborative, Inc., Boston, MA and the Consortium for Citizens with Disabilities Housing Task Force, Washington, DC.

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 Maura Collins Versluys, Technical Assistance Collaborative Inc., One Center Plaza, Suite 310, Boston, Massachusetts 02108. Phone: 617-742-5657 or Fax: 617-742-0509 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 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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only. These vouchers have been made available each year to PHAs through the *Rental Assistance for Non-Elderly Persons with Disabilities in Support of Designated Housing Plans* program (referred to as the “Designated Housing” program.)

The Plight of John

There is no question that people with disabilities have few housing options left for them when studio and one-bedroom public housing apartments are exclusively reserved for elderly households. Consider the plight of John, a man with multiple sclerosis who is 45 years old. Until four years ago, John earned \$25,000 a year as a copy editor. Unfortunately, his disability progressed so that he can no longer work, and he now relies on \$700 per month in Social Security Disability Income benefits.

John applied for elderly/disabled public housing in 1999 and is still on the waiting list. In 2001, John's PHA received approval from HUD to designate the units in this public housing development as elderly only. HUD's approval means that as long as there is an elderly person on this PHA's public housing waiting list – even if they applied yesterday – the elderly person will be offered the next vacant unit that becomes available. The only way John will be able to move into this property is if there are literally no elderly households left on the waiting list. Because the housing John applied for is very desirable, well located, and well maintained, elderly households apply to live there on a regular basis. John stands virtually no chance of getting a unit in this property until he turns 62.

As part of the designation process, the PHA could have requested new Section 8 vouchers from HUD to help people with disabilities like John who were on the PHA's public housing waiting list or who might have applied at some future time if the housing had not been designated. Unfortunately, this PHA decided not to request any vouchers. HUD also did not obligate the PHA to apply for new Section 8 vouchers for people like John as a condition of approving the PHA's Allocation Plan (the plan required by HUD in order to designate any public housing units). In its Allocation Plan, the PHA told HUD that they would make other resources available for people like John. However, John is still struggling to find an affordable apartment and doesn't have a Section 8 voucher to help him pay the rent.

Why Aren't PHAs Applying?

Unfortunately, there are many people like John who have been deprived of federally subsidized housing opportunities because of elderly only housing policies. Housing advocates for people with disabilities are still trying to decipher why PHAs that have designated public housing units as elderly only do not apply for these new vouchers and what can be done about it.

Public Law 104-120, which governs elderly only designation, states that PHAs seeking to designate elderly only housing must give HUD a description of “any plans to secure additional resources or housing assistance to provide assistance to families that **may** have been housed if occupancy in the project were not restricted” [emphasis added]. HUD guidance issued on March 12, 1997 further states that this law focuses on the **total** housing needs of the low-income population of a community and not one group – such as elderly households – in particular. The HUD notice further states:

In most communities, there are substantial unmet housing needs of both elderly families and persons with disabilities. For these communities, a public housing authority’s demonstration that it will make **reasonable** efforts to provide tenant based assistance or other appropriate resources to the non-designated group is sufficient for designation. [Emphasis added]

The most obvious interpretation of the above federal policy is that:

- **If** there is an unmet need for housing for people with disabilities in a community;
- **And** if a PHA intends to designate elderly/disabled public housing as elderly only;
- **And** if Congress has made available new Section 8 vouchers for people with disabilities specifically for these PHAs designating elderly only housing;
- **Then** it is reasonable to expect that PHAs would be obligated to apply for them.

Through this *Opening Doors* Funding Alert, the Technical Assistance Collaborative, Inc. (TAC) and the Consortium for Citizens with Disabilities Housing Task Force (CCD Housing Task Force) are urging housing advocates for people with disabilities to contact PHAs that have been designating elderly only housing and remind them of their obligation to apply for these vouchers during this year’s Section 8 application process. To be as effective as possible in these discussions, advocates will need information about:

- Available Section 8 vouchers and how PHAs can apply for them; and
- Which PHAs have designated elderly only housing and whether they have or have not applied for Section 8 vouchers in conjunction with this designation.

New Section 8 Vouchers to Replace Elderly Only Public Housing

This year, Congress has appropriated \$20 million in new funding to provide 3,950 new Designated Housing Section 8 vouchers for people with disabilities who can no longer move into elderly only public housing units. A PHA is eligible to apply for up to 200 of these vouchers. Applications for these vouchers are due to HUD by **July 23, 2002**.

Despite the number of public housing units that have disappeared for people with disabilities over the years, PHAs have been slow to apply for vouchers to replace these lost units. In fact, for the past several years, HUD has not received enough applications from PHAs designating elderly only housing to give out all the available vouchers. For example, during a recent 12-month period, HUD approved 50 PHA Allocation Plans but only five of these PHAs applied for the new vouchers that Congress linked to public housing designation.

From these data, it is reasonable to conclude that many people with disabilities who were on PHA public housing waiting lists – like John mentioned above – have been left with no affordable housing options

HUD states that “some PHAs are not requesting an adequate number of vouchers to meet the housing needs of non-elderly disabled families affected by designated housing plans.”

Advocates for people with disabilities have been concerned by this lack of response from PHAs, and are intent on making sure that PHAs do not shirk their responsibilities to people with disabilities in their eagerness to create elderly only buildings.

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PHAs with HUD-Approved Allocation Plans Eligible to Apply for New Vouchers

In order to be eligible to apply for the new “Designated Housing” vouchers, PHAs must have a HUD-approved Allocation Plan. As stated above, HUD has been approving Allocation Plans since 1995, and has approved a total of 196 plans to date. These plans, in the aggregate, have designated approximately 63,000 units of public housing as elderly only. Many of these are units with accessibility modifications to accommodate the needs of people with disabilities. More and more units are being designated each month and HUD is now granting extensions to plans that were originally approved in the mid-1990s.

PHAs with a HUD-approved Allocation Plan are eligible to apply for this set-aside of Section 8 vouchers, even if the Allocation Plan was approved three or four years ago. In order to assist the disability community to identify these PHAs, TAC has included a list of all PHAs with Allocation Plans approved since 1997 in **Table 1** on page 6. This table, which is compiled from data made available by HUD, is organized alphabetically by state. To view HUD’s most up-to-date listing, go to www.hud.gov/aoffices/pih/centers/sac/designated.

Track Record of PHAs

A review of HUD’s data from Table 1 shows that some PHAs have neglected to apply for these new Section 8 vouchers targeted to people with disabilities affected by designation, even though PHAs have reduced the number of public housing units available to people with disabilities. The table also indicates exactly how many

public housing units were designated elderly only and how many vouchers the PHA received from HUD each year. It is important to note that PHAs that have designated elderly only housing can apply year after year for new vouchers for people with disabilities as long as: (1) Congress makes new vouchers available; and (2) the PHA can show a need for the vouchers. To illustrate how Table 1 should be interpreted, some examples of the data included in this table are provided below:

- The Municipal Housing Authority in Des Moines, Iowa designated 190 units of public housing as elderly only in 2001 but did not receive any designated vouchers from HUD.
- The Housing Authority of Durham, North Carolina also designated elderly only housing in 2001 – 389 units in total – and requested 200 vouchers for people with disabilities to offset this loss of housing.
- In 1999, the Housing Authority of West Warwick, Rhode Island designated 250 units of public housing as elderly only but did not receive any vouchers for people with disabilities in 1999, 2000, or 2001, even though new vouchers were available.
- The City of Las Vegas Housing Authority also designated 570 units as elderly only housing in 1999. However, this PHA has received 200 new vouchers for people with disabilities each year since 1999.

Are People with Disabilities Being Adversely Affected by Designation?

It is difficult to know for certain what happens to people with disabilities on public housing waiting lists once designation occurs. For example, it is reasonable to conclude that people with disabilities in Las Vegas Nevada who were adversely affected by designation were given other housing

options because the PHA applied for a total of 600 new Section 8 vouchers over a three-year period. However, it is very difficult to learn what happened to people with disabilities in communities that never received new vouchers to mitigate the impact of designation.

To learn more, the disability community may want to ask these questions to PHAs that did not receive new vouchers linked to designation:

- Why did the PHA not receive new vouchers from HUD?
- Did the PHA decide not to request new vouchers because it had enough unused regular Section 8 vouchers for people with disabilities who were on the public housing waiting list?

If the answer to the last question is yes, then these follow-up questions are also important:

- Did all of the people with disabilities on the public housing waiting list actually get a voucher by the time they would have been offered a public housing unit?
- How did the PHA accomplish this goal? Did they create a preference in their Section 8 program for people with disabilities on the public housing waiting list?
- If so, does this preference still apply?
- If not, then how did the PHA accommodate them?
- Were people with disabilities able to obtain housing using the voucher?
- Did the PHA assist them with their housing search?
- How is the PHA ensuring that its obligations under Section 504 of the Rehabilitation Act to provide accessible housing for people with disabilities are being met?
- Is there an adequate supply of barrier-free or otherwise accessible housing that will accept Section 8 vouchers?

Next Steps – Capitalizing on the New Vouchers Available

It is clear that the disability community must take the lead in holding PHAs accountable for designation, and must do more to ensure that PHAs apply for every voucher that Congress makes available for elderly only designation purposes. Showing a legitimate demand for these vouchers is the best way to show federal policy makers that these set-aside vouchers are needed – and will continue to be needed – as long as PHAs continue to designate housing as elderly only.

To obtain new vouchers, the disability community must immediately organize to do several things:

- 1. Determine if the local PHA intends to designate public housing as elderly only this year.** HUD's NOFA sets a deadline of May 20 for PHAs to file Allocation Plans and be eligible to apply for new vouchers available this year. If the PHA plans to designate public housing units but does not request vouchers this year, people with disabilities adversely affected by this designation might never receive a voucher.
- 2. Review Table 1 to identify PHAs with Allocation Plans approved since 1997.** Did the PHA receive vouchers as a result of the designation? If so, were they sufficient to address the lost housing opportunities for people with disabilities as the result of designation? You can begin to assess this loss by asking the PHA's Board of Commissioners or Executive Director some of the key questions already identified. It would be most effective to ask the PHA these questions at a public meeting as well as in writing, and request a written response.
- 3. Determine if your PHA currently has a Section 8 utilization rate of at least 97 percent.** PHAs that have a Section 8 utilization rate of less than 97 percent are not eligible to apply for any new Section 8 vouchers this year. The Section 8 utilization rate is used by HUD to ensure

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Table 1: PHAs with Elderly Only Allocation Plans

Below is a list of PHAs with HUD-approved elderly only Allocation Plans from 1997 through March 8, 2002.* This chart is adapted from HUD's online version, posted at www.hud.gov/offices/pih/centers/sac/designated. Please refer to this site for information on Allocation Plans approved before 1997. The PHAs are organized by state including the number of units designated elderly only as well as the number of Section 8 vouchers awarded to the PHA in conjunction with the Allocation Plan (if any).

State	Housing Agency (PHA)	# Units Designated	# Vouchers Awarded (Year)
PHAs with Plans Currently Pending Approval			
KS	Topeka PHA	unknown	N/A
LA	PHA of New Orleans	unknown	N/A
NE	Omaha PHA	unknown	N/A
OH	Dayton Metropolitan PHA	unknown	N/A
OH	Zanesville Metropolitan PHA	unknown	N/A
TN	Tennessee Housing Development Agency	451	N/A
PHAs with Approved Allocation Plans**			
AL	Mobile Housing Board	122	122 ('00)
AZ	City of Phoenix	264	200 ('98)
CA	City of Santa Barbara PHA	142	100 ('97)
CA	Imperial Valley PHA	34	49 ('97)
CA	Kern County PHA	150	150 ('98)
CA	Oakland PHA	383	85 ('01)
CO	Boulder City PHA	95	none
CT	Danbury PHA	152	152 ('99)
CT	Greenwich PHA	150	78 ('00)
CT	PHA of City of New Haven	95	none
CT	Manchester PHA	100	36 ('00)
CT	Naugatuck PHA	104	20 ('00)
CT	Norwalk PHA	249	50 ('98)
CT	Stratford PHA	171	none
CT	Torrington PHA	198	none
CT	Vernon PHA	136	none
CT	Winchester PHA	79	20 ('01)
CT	Windsor Locks PHA	60	32 ('00)
DC	DC PHA***	392	47 ('99); 200 ('00)
FL	PHA of Brevard County	159	200 ('00)
FL	PHA of Hollywood	90	none
FL	PHA of the City of Daytona Beach	142	30 ('98)
FL	PHA of the City of Key West	199	none
FL	PHA of the City of Lakeland	33	none
FL	PHA of the City of Miami Beach	200	none
FL	Hialeah PHA	640	148 ('01)
FL	Jacksonville PHA	617	75 ('98)
FL	Melbourne PHA	100	none
FL	Miami-Dade PHA	381	200 ('99)
FL	Orlando PHA	48	none
FL	Palm Beach County PHA	100	none
FL	Tampa PHA	600	150 ('99)
GA	PHA of Fulton County	223	none

State	Housing Agency (PHA)	# Units Designated	# Vouchers Awarded (Year)
IA	Des Moines Municipal PHA	190	none
IA	Keokuk PHA	50	none
IA	Waterloo PHA	50	none
IL	PHA of Elgin	150	none
IL	PHA of the City of Waukegan	98	none
IL	Morgan County PHA	173	none
IL	Peoria PHA	297	none
IN	PHA of the City of New Albany	365	200 ('00)
KS	Lawrence PHA***	294	30 ('99)
KS	Newton PHA	100	none
KS	Witchita PHA	176	176 ('99)
KY	PHA of Louisville	59	none
KY	Lexington-Fayette Urban County PHA	185	25 ('97)
KY	Owensboro PHA	76	none
LA	PHA of New Orleans	168	none
LA	PHA of the City of Jennings	40	none
MA	Brockton PHA	758	100 ('98)
MA	Cambridge PHA	817	200 ('97)
MA	Lowell PHA	596	none
MA	New Bedford PHA	58	none
MD	PHA of Baltimore City***	157	200 ('98)
MI	Battle Creek Housing Commission	150	100 ('98)
MI	Bay City PHA	115	50 ('01)
MI	Dearborn Housing Commission	313	50 ('00)
MI	Detroit Housing Commission	1584	none
MI	Eastpointe Housing Commission	164	none
MI	Hamtramck Housing Commission	150	none
MI	Inkster Housing Commission	120	none
MI	Lincoln Park Housing Commission	103	none
MI	Livonia Housing Commission	158	25 ('01)
MI	Pontiac Housing Commission	175	none
MI	Roseville Housing Commission	214	none
MI	Saginaw Housing Commission	306	none
MN	City of Minneapolis PHA	2718	none
MN	HRA of the City of South St Paul	296	none
MN	Moorhead Public Housing Agency	47	none
MO	Excelsior Springs PHA	79	none
MO	Kansas City PHA***	179	none
MO	St. Louis PHA	40	none
MT	Butte County Housing and Redevelopment Commission	66	10 ('01)
NC	PHA of Asheboro	50	none

*Because of incomplete HUD data, the Boston (MA) PHA and the Knoxville (TN) Community Development Company were omitted from this list.

**Includes those Allocation Plans that have requested extensions.

State	Housing Agency (PHA)	# Units Designated	# Vouchers Awarded (Year)
NC	PHA of Asheville	4	none
NC	PHA of Charlotte	727	200 ('99)
NC	PHA of Durham	389	200 ('01)
NC	PHA of Greensboro	427	100 ('97)
NC	PHA of High Point	224	50 ('97)
NC	PHA of Winston-Salem	306	73 ('97)
NE	Omaha PHA	268	100 ('97)
NH	Dover PHA	184	30 ('97)
NH	Somersworth PHA	49	none
NJ	Clementon PHA	70	20 ('01)
NJ	Englewood PHA	152	none
NJ	PHA of Gloucester County	180	none
NJ	Lakewood Township	144	none
NV	City of Las Vegas PHA	570	200 ('99); 200 ('00); 200 ('01)
NV	North Las Vegas PHA	120	71 ('00)
NY	Amsterdam PHA	195	none
NY	City of Buffalo	990	200 ('99)
NY	Geneva PHA	98	none
NY	Gloversville PHA	217	none
NY	New York City PHA	9849	200 ('99); 200 ('00); 200 ('01)
NY	Plattsburgh PHA	100	none
OH	Allen Metropolitan PHA	40	none
OH	Ashtabula Metropolitan PHA	221	60 ('97)
OH	Clermont Metropolitan PHA	58	none
OH	Columbus Metropolitan PHA	30	none
OH	Cuyahoga Metropolitan PHA	2499	none
OH	Dayton Metropolitan PHA	433	none
OH	Hamilton County	352	none
OH	Licking Metro PHA	98	30 ('00)
OH	Lucas Metropolitan PHA	407	150 ('97)
OH	Trumbull Metropolitan PHA	150	none
OK	Oklahoma City PHA	201	200 ('00)
OK	Shawnee PHA	122	none
OK	Tulsa PHA	79	none
OR	Coos-Curry PHA	50	none
OR	PHA of the City of Salem	62	44 ('97)
PA	Allegheny County PHA***	881	none
PA	Blair County PHA	26	none
PA	Bucks County PHA	561	150 ('99)

State	Housing Agency (PHA)	# Units Designated	# Vouchers Awarded (Year)
PA	Butler County PHA	158	50 ('97); 75 ('99)
PA	Chester PHA	195	none
PA	Cumberland County PHA	59	none
PA	Easton PHA	100	none
PA	Franklin County PHA	55	none
PA	PHA City of Pittsburgh***	77	none
PA	Harrisburg PHA	510	150 ('00)
PA	Indiana County PHA	10	none
PA	Johnstown PHA	354	none
PA	Lackawanna County PHA	312	100 ('98)
PA	Lehigh County PHA	190	190 ('00)
PA	McKeesport PHA	200	none
PA	Nanticoke PHA	291	none
PA	Philadelphia PHA***	425	200 ('98); 150 ('99)
PR	Puerto Rico Department of Housing	40	none
RI	Newport PHA	110	none
RI	North Providence PHA	127	25 ('97)
RI	Pawtucket PHA	346	75 ('97)
RI	Portsmouth PHA	40	none
RI	South Kingstown PHA	16	none
RI	Tiverton PHA	45	none
RI	Town of Bristol PHA	220	none
RI	West Warwick PHA	250	none
TN	Chattanooga PHA	610	100 ('00)
TN	Cookeville PHA	158	none
TN	Memphis PHA	80	none
TX	PHA of the City of Houston	155	50 ('98)
VA	Hampton Redevelopment and PHA	126	none
VA	Norfolk Redevelopment and PHA	100	none
VA	Petersburg Redevelopment and PHA	100	none
VT	Brattleboro PHA	166	75 ('98)
WA	Seattle PHA	131	200 ('01)
WI	Middleton PHA	126	none
WI	Milwaukee County PHA	1241	none
WV	PHA of the City of Charleston	214	none
WV	PHA of the City of Huntington	350	56 ('00)
WV	PHA of the City of Martinsburg	105	none

***These PHAs have submitted more than one Allocation Plan. The figures represented in this table represent the total units designated to date.

that the majority of vouchers the PHA currently administers are leased – theoretically indicating that the PHA needs new vouchers to meet demand. HUD has a list of PHAs with utilization rates over 97 percent as of February 26, 2002 online at www.hud.gov/offices/adm/grants/nofa/other/fairshare-pha.doc.

Unfortunately, the 97 percent utilization rate requirement is a real barrier for disability advocates seeking to convince a PHA to apply for new vouchers. It is also a problem for people with disabilities who need subsidized housing because there is no guarantee or obligation that a PHA designating elderly only housing will set-aside any of its existing unused vouchers for people with disabilities.

- 4. Collect separate data to demonstrate the housing needs of people with disabilities and relate it to the loss of housing from designation.** This data can come from a variety of sources, but should make a clear case for the need for more housing

resources for people with disabilities.

- 5. Bring a copy of the NOFA (available online at www.hud.gov/offices/adm/grants/nofa/radhsec.pdf) or a copy of this issue of *Opening Doors* to a meeting with the PHA.** Show the PHA that they will be held publicly accountable for submitting a Section 8 application on behalf of people with disabilities.

Remember that a PHA with housing designated elderly only as far back as 1995 is eligible to apply to obtain new vouchers from this set-aside, even if they have applied in the past. For HUD's complete and most up-to-date listing of all Allocation Plans, go to www.hud.gov/offices/pih/centers/sac/designated. In fact, last year, 8 of the 13 applications received by HUD for these vouchers were from PHAs that had designated housing in prior years.

- 6. Determine if the PHA's Allocation Plan has expired, is about to expire, or has been extended.** If the Allocation Plan has expired (the HUD

Sources of Housing Needs Data for People with Disabilities

- State or local Consolidated Plans. These should include the housing needs of people with disabilities, including supportive housing and the housing needs of homeless people with disabilities for each community covered by the plan. These can be obtained through the local or State Community Development departments.
- PHA Plans. Although some PHA Plans contain little information on the housing needs of people with disabilities, the PHA Plan may include data that can help illustrate the housing crisis locally. PHA Plans are available to the public through PHA's offices or some are posted online at www.hud.gov/offices/pih/pha/approved/index.cfm.
- People receiving Supplemental Security Income (SSI) benefits. The Social Security Administration has released data on the number of people by state and county who are receiving SSI benefits. This can be found at www.ssa.gov/statistics/ssi_st_cty/2000/index.html.
- *Priced Out in 2000: The Crisis Continues*. This TAC/CCD Housing Task Force publication illustrates how people with disabilities who receive SSI are unable to afford rental housing – defined as spending less than 30 percent of one's income for housing costs – anywhere in the country. Data is provided for every state and local housing market area in the U.S. This is posted under TAC's publications at www.tacinc.org.
- *Out of Reach*. The National Low Income Housing Coalition releases an annual report proving the growing disparity between wages earned and housing costs. Housing affordability statistics are available for every housing market in the country and can be found at www.nlihc.org.
- *Sources of Data on State and Local Housing Needs*. The Center on Budget and Policy Priorities recently released a compilation of resources for data collection, including pertinent U.S. Census data, which is constantly updated in its online format at www.cbpp.org/11-30-01/hous.htm.
- Local disability data. Other local disability organizations working to assist people with disabilities with housing issues may have local statistics or studies that include helpful information.

approval to designate is good for only five years), then the PHA must either: 1) apply to have the plan extended for an additional two years; or 2) begin to permit occupancy again by people with disabilities under age 62. If the PHA is planning to extend its Allocation Plan, it is a good time to insist that they also apply for new Section 8 vouchers for people with disabilities.

- 7. If a PHA has an approved PHA Allocation Plan and at least a 97 percent Section 8 utilization rate, insist they apply for new Section 8 vouchers for people with disabilities if there is any indication that people with disabilities have lost housing opportunities as a result of the designation!** Remember, this is the reason Congress put these funds in HUD's budget in the first place: to ensure that the housing rights of people with disabilities would be respected and protected.

Following through on a Section 8 Application

There may be some PHAs that were **required** by HUD to apply for Section 8 vouchers as a condition of their Allocation Plan approval but have nonetheless failed to submit an application. The best way to check to see if PHAs are applying is to contact your local HUD Office (contact information is available at www.hud.gov/local/index.cfm) and ask for the Office of Public and Indian Housing. Be sure to ask if the PHA has HUD approval to designate public housing units. Also, ask the HUD staff if there were any conditions imposed by HUD as part of this designation. This can be determined by reading the HUD letter that approved the designation. Be sure to ask if the PHA actually followed through with a Section 8 application. If they did not, then the PHA has not met the conditions of HUD's approval of the Allocation Plan.

PHAs with Less than 97 Percent Utilization

As mentioned above, PHAs with Section 8 voucher utilization rates less than 97 percent are not eligible to apply for new vouchers under this year's NOFA. There are approximately 2,600 PHAs currently administering the Section 8 program, and only 994 of those appear on HUD's list of PHAs eligible to apply for new vouchers this year. Nationally, this is only 38 percent of the PHAs with Section 8 programs.

However, this fact should not deter the disability community from finding out if elderly only designation is negatively affecting people with disabilities. In lieu of obtaining new vouchers, advocates can propose that the PHA set-aside some of its existing unleased vouchers so that they may be issued to people with disabilities who have been adversely affected by designation. PHAs unwilling to agree to set-aside unleased vouchers for this purpose should be reminded that they will need HUD approval to renew or extend their Allocation Plan and that the disability community will hold the PHA accountable at that time.

These situations illustrate the need for the disability community to monitor PHA elderly only designation activities. If some PHAs have not focused on the negative consequences of designation in the past, advocates can get involved now to ensure that all elderly only designation plans for the future are fairly implemented and include the necessary new Section 8 vouchers for people with disabilities who need them.

Other Section 8 Vouchers Available through This Year's SuperNOFA

In addition to the 3,950 vouchers linked to PHA Allocation Plans, there are two other Section 8 voucher appropriations that the disability community should be aware of:

1. \$20 million in funding for 3,950 one-year Section 8 vouchers targeted to non-elderly people with disabilities available through the *Rental Assistance for*

Advocates can get involved now to ensure that all elderly only designation plans for the future are fairly implemented and include the necessary new Section 8 vouchers for people with disabilities who need them.

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Non-Elderly Persons with Disabilities Related to Certain Developments program (referred to as the “Certain Developments” program). These Section 8 vouchers are intended to help replace the loss of housing units for people with disabilities that has occurred from the implementation of elderly only housing policies in **privately owned** HUD-assisted housing. Only PHAs can apply for these funds and can request up to 200 vouchers. These applications are due on **July 2, 2002**.

2. \$53.9 million in funding for 1,900 five-year Section 8 vouchers exclusively targeted to people with disabilities available through the *Mainstream Housing Opportunities for Persons with Disabilities* program. These funds are available to both qualified non-profit disability organizations as well as PHAs administering a Section 8 program. Qualified applicants can apply for up to 75 vouchers and will be selected through a lottery system. The application deadline is **July 22, 2002**.

Certain Developments Vouchers

This is the sixth year that Congress has attempted to ensure that new Section 8 Certain Developments vouchers are available in communities that have lost housing for people with disabilities because HUD-subsidized privately owned housing is also being converted to elderly only housing. TAC and the CCD Housing Task Force have written extensively about this loss of housing – estimated at approximately 275,000 units – which is much greater than the loss of public housing discussed above (see issue 15 of *Opening Doors* for more on this topic).

Unfortunately, this year’s NOFA for these funds continues to be difficult for PHAs to respond to because – unlike the public housing designation data that appears in Table 1 – HUD still does not know which HUD assisted housing owners have actually designated their properties as elderly only. Despite this lack of information, the Certain Developments NOFA requires PHAs to identify specific

properties in the community that have been designated by owners and work with the owners to refer people with disabilities who are still on the waiting lists at these properties to other affordable housing resources.

As a practical matter, the complicated process outlined by HUD in the NOFA – which a PHA must follow in order to obtain these 3,950 new vouchers for people with disabilities – means that very few PHAs have actually applied for these vouchers. Because so few PHAs apply, those that do submit qualified applications are almost always funded! Disability advocates have been able to convince a number of creative and innovative PHAs to work with them to obtain these vouchers. For example, the State of Connecticut recently obtained 200 of these vouchers, which will enable the Corporation for Supportive Housing and the State to proceed with the development of more than 300 units of permanent supportive housing for homeless people and people with disabilities at risk of homelessness.

Mainstream Vouchers

Different from any other Section 8 vouchers described previously, HUD is again permitting both PHAs and qualified non-profit disability organizations to apply for new Mainstream vouchers. The good news is that this program gives non-profit disability organizations a chance to bring new Section 8 vouchers into their communities – and approximately 25 have received them since these vouchers were first made available to non-profits in 1999. The bad news is that each year only a few non-profit disability organizations (typically between eight to 12) are actually funded, even though hundreds of organizations submit applications.

PHAs also compete for these funds, which HUD distributes through a lottery system. There are usually more applications from PHAs, and so more PHAs are funded. However, non-profit disability organizations that can qualify to apply should not overlook these vouchers. To assist non-profits to evaluate their options, TAC has posted further information on its website (www.tacinc.org).

HUD's Continuum of Care Homeless Assistance Programs

The SuperNOFA also announced the availability of \$950 million in funding for HUD's three McKinney/Vento Homeless Assistance programs. Funding for these homeless programs is available through the development and submission of a Continuum of Care plan and application to HUD. The deadline for the submission of applications for McKinney/Vento Homeless Assistance funding is **June 21, 2002**.

The Continuum of Care is a comprehensive strategic plan to address homelessness developed via a community-wide planning/decision-making process involving government officials; advocates; people who are homeless and formerly homeless; non-profit organizations from the housing and service sectors; and other local stakeholders. The Continuum of Care process analyzes the services and housing available in a community compared to the needs of people who are homeless. This process includes the development of strategies and action steps to address identified Continuum needs, including applying to HUD for homeless program funds.

Permanent Housing Set-Aside

To increase the amount of permanent housing provided through the McKinney/Vento Homeless Assistance programs, Congress has again mandated that HUD spend at least 30 percent of the its McKinney/Vento appropriation on permanent housing. This is the fourth year in a row that HUD has been subject to this requirement. This set-aside amounts to approximately \$302 million, which can be spent on new or renewal Supportive Housing Program permanent housing projects, new Shelter Plus Care projects, new Section 8 SRO projects, and any new and renewal Safe Haven projects that are administered like a permanent housing program (i.e., tenants

have their own leases). [NOTE: Congress also set-aside an additional \$118 million specifically to renew expiring Shelter Plus Care grants, which are not counted toward the 30 percent set-aside].

Again this year, HUD has created a permanent housing bonus in order to encourage more permanent housing applications. This year the value of the permanent housing bonus – which is **added** to the community's "pro-rata need share" – is either \$500,000 or the Continuum of Care's pro-rata need amount, whichever is **less**. The bonus will be provided to Continuum of Care systems that rank a new permanent housing project as their number one priority in their HUD application.

This permanent housing bonus is an incentive for non-profit organizations and governments to ensure that new permanent housing projects are submitted to HUD for funding. There are also other permanent housing incentives in this year's NOFA – including offering up to 5 points in the scoring criteria for Continuum of Care applications, which have at least 50 percent of their requested funding (up to the pro-rata need amount) dedicated to housing activities. For more information, read *Opening Doors* issue 13.

Section 811 Supportive Housing for Persons with Disabilities Program

Approximately \$117.5 million in funding is available to develop housing through the Section 811 Supportive Housing for Persons with Disabilities Program. The Section 811 program was designed to help people with disabilities that have very low incomes live independently in the community by giving non-profit

Again this year, HUD has created a permanent housing bonus in order to encourage more permanent housing applications.

organizations the resources to develop safe and affordable housing. The application deadline is June 5, 2002.

Section 811 funding may be used by non-profit organizations to finance the construction, rehabilitation, acquisition, and operating costs of a variety of housing options ranging from small group homes and independent living facilities to units in multi-family housing, condominiums, and cooperative housing developments. For more information, go to www.hud.gov/offices/adm/grants/fundsavail.cfm.

Housing Opportunities for Persons with AIDS

HUD also announced the availability of \$27.5 million in funding for projects serving low-income persons with HIV/AIDS through the Housing Opportunities for Persons with AIDS (HOPWA) Program. This funding may be used to develop projects that will serve as effective models in addressing the housing and related supportive service needs of low-income persons living with HIV/AIDS and their families.

Housing-related activities that this funding may be used for include: housing information services; rental assistance; construction, acquisition, rehabilitation, lease, or repair of facilities to provide housing and services; operating costs for housing; and short-term rent, mortgage, and utility payments. For more information, go to www.hud.gov/offices/adm/grants/fundsavail.cfm.

Opening Doors

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