

Accessible Housing for People with Disabilities

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Overview of Accessible Housing

2010 marked the 20th anniversary of the passing of the Americans with Disabilities Act, an event that many in the disability community hoped would signify the beginning of full integration into all areas of life and society for people with disabilities. Indeed, there are more people with disabilities living alongside their able bodied neighbors than ever before. Unfortunately, the amount and quality of accessible housing in the nation's capital still does not adequately address the need.

The law is clear - under Title II of the Americans with Disabilities Act (ADA), the District must provide people with disabilities access to services and supports in the most integrated settings appropriate to their needs and their choice. However, the disability community is diverse. Each individual comes with different strengths, attitudes, and needs and because of this, accessibility takes on many different forms. This makes the issue of accessible housing nuanced and too often ignored.

Because of this diversity, disability prevalence statistics can range approximately from 10 percentⁱ to 20 percentⁱⁱ of the overall population and often do not include the number of people living in institutions and nursing facilities, which total over 4,300 District residents, many of whom prefer and may be able to successfully live in the community with the housing, services and supports they need.ⁱⁱⁱ **Regardless of the statistic being used, it is certain that a significant number of individuals require accommodations in housing.** Accessible housing is defined through standards within the Fair Housing Act (FHA) and Section 504 of the Rehabilitation Act of 1973 which mandates compliance with the Uniform Federal Accessibility Standards (UFAS). These federal laws provide protection for people with disabilities against discrimination in government-funded housing programs and the renting, purchasing, or financing of housing. Section 504 requires that at least 5% of federally-financed housing (through renovation or new construction) be wheelchair accessible.

The government agencies charged with addressing DC residents' housing needs include the Department of Housing and Community Development (DHCD), the D.C. Housing Authority (DCHA), the D.C. Housing Finance Agency (DCHFA), and the Deputy Mayor's Office for Planning and Economic Development (DMPED).^{iv} DHCD, DCHA, and DCHFA maintain a housing locator site at www.dchousingsearch.org, which allows individuals to search for housing based on a variety of accessibility features.

Additionally, in 2002, HUD imposed on DCHA a requirement that 6% of all new public housing construction be wheelchair accessible. DCHA completed 565 fully wheelchair-accessible public housing units in December 2013 as mandated under the federal consent order in *Young v. DC Housing Authority* (D.D.C.). These units are in various bedroom sizes from studios to 6 bedrooms; they comply with UFAS. DCHA leases them to existing DCHA tenants in need of transfer to wheelchair-accessible units, as well as applicants on the public housing waiting list. As of April 2013 when DCHA closed its public housing waiting list, there were reportedly over 200 such applicants on the waiting list who needed accessible housing.

While the District is working on several fronts to increase the opportunities people with disabilities have to gain long term accessible housing in the community, the supply fails to keep up with the demand. Even individuals with disabilities who can obtain housing choice vouchers (formerly Section 8) still have difficulty finding a placement to use the vouchers because of the extreme lack of accessible options. Furthermore, comprehensive quality data in regards to accessible housing in the District do not exist and it is difficult to fully understand the extent of the problem. Much of the data that is currently collected relies on self-reporting of landlords, which does not yield reliable information because landlords are often unfamiliar with

accessibility standards.

Integrating people with disabilities into the community through accessible housing and other housing supports is beneficial for everyone. Making these opportunities available will prevent homelessness as well as unnecessary, costly, and overall harmful institutionalization of people with disabilities.

Recommendations

Community Integration and Neighborhood Accessibility

- Accessible housing should be scattered throughout the District and throughout buildings. People with disabilities should have ample opportunities to select housing in the location they choose.
- Ensure accessibility and convenience in the area around housing units including curb ramps in the sidewalk, proximity to public transportation and other amenities such as restaurants and grocery stores.

Assess Implementation of the Comprehensive Housing Strategy Taskforce Report

- Evaluate the Report's Recommendation 4 and all subparts to identify areas that have and have not been fulfilled.
- Establish an action plan to implement unmet recommendations and achieve comprehensive housing for people with disabilities.

Eligibility for Housing

- Eligibility preference should be given to individuals exiting institutional facilities to live in the community and individuals at risk of entering institutions.
- DC should reduce as many barriers as possible to meeting eligibility requirements. This includes providing support to individuals with disabilities who need assistance filling out applications for housing or housing assistance programs, accommodating individuals who have poor credit or high medical debt due to their disability, and proactively identifying other ongoing barriers to eligibility that are related to disability status.
- Provide legal assistance for individuals experiencing housing discrimination.

Rent Control

- Currently, the rent is controlled in the District by a maximum percentage at which landlords can raise rent each year. This percentage is capped at CPI for individuals with disabilities and older adults. This cap should be extended to include individuals with mental illness.

Data on Accessible Housing

- Experts on accessibility should visit housing sites to assess the quality of accessibility accommodations and collect this data more accurately. Data should then be made widely available and accessible to the public.

Construction Codes: Visitability

- Update codes to include visitability standards. Visitable homes are not fully accessible but have reduced barriers that allow people with disabilities to visit their friends and neighbors in their homes. Visitable homes have: one entrance with zero steps; 32 inches clear passage through all interior doors, including bathrooms; and at least a half bath on the main floor.
- Update codes to enforce that a minimum of 8 percent of new units must be accessible.

Universal Design

- Raise awareness about universal design principles and provide incentives for new developers to use universal design techniques.
- Expand the Handicapped Access Improvements Program to provide financial assistance for DC residents to renovate their homes incorporating universal design elements.

ⁱ Erickson, W. Lee, C., & von Schrader, S. (2010). 2008 Disability Status Report: District of Columbia. Ithaca, NY: Cornell University Rehabilitation Research and Training Center on Disability Demographics and Statistics

ⁱⁱ U.S. Census Bureau.

ⁱⁱⁱ There are approximately 3,000 D.C. residents with disabilities in nursing facilities both in D.C. and in other states. Over 500 of these individuals have expressed their preference to live in the community. In addition to nursing facility residents, there are approximately 678 D.C. residents in institutions, including 300 D.C. residents in intermediate care facilities for people with intellectual and developmental disabilities, 128 D.C. youth in out-of-state psychiatric residential treatment facilities, and about 250 people in St. Elizabeth's Hospital.

^{iv} It should be noted that services for people with disabilities are available in the District under the State Medicaid Plan and two Medicaid Waiver Programs. Housing providers are generally not the appropriate source of services for tenants.