

# TENANT TALK

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## The Intersection of Housing and Disability Rights



NATIONAL LOW INCOME HOUSING COALITION

NLIHC.ORG

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## TENANT TALK

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## ABOUT NLIHC

The National Low Income Housing Coalition is dedicated solely to achieving socially just public policy that ensures people with the lowest incomes in the United States have affordable and decent homes.

A key part of our work is through public education and engagement. NLIHC is committed to sharing resources and tools that help individuals become informed advocates. *Tenant Talk* is one of the many resources we provide to the public.

## BECOME A MEMBER

NLIHC relies heavily on the support of our members to fund our work and to guide our policy decisions. Members are our strength! Hundreds of low-income residents and resident organizations have joined the NLIHC community by becoming members.

We suggest an annual membership rate of only \$5 for a low-income individual membership, and \$15 for a low income resident organization. Please consider becoming a member of NLIHC today at [nlihc.org/membership](https://nlihc.org/membership).

**NLIHC wants to extend a special thanks to Dara Baldwin for being a guest editor on this issue of *Tenant Talk***

**Cover Art:** Laura Ramos

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# MESSAGE FROM THE EDITORIAL BOARD

*Dear Readers,*

People with disabilities, just like everyone else, deserve to live with dignity in a home of their choosing that is safe, accessible, and affordable. However, our country has long ignored people with disabilities, especially when it comes to housing. People with disabilities have historically been forced to live in institutional settings and continue to face discrimination and a severe lack of choice in where they live due to the shortage of accessible and affordable homes in communities across the country.

Many people with disabilities live on low and fixed incomes that are quickly eaten up by housing costs, leaving little left for other necessities like food and medical care. Federal housing assistance and home and community-based services continue to be underfunded. Even if a person with a disability is lucky enough to receive limited housing assistance, the difficulty in finding a safe, accessible home close to necessities such as healthcare, services, or accessible transportation remains.

Additionally, the lowest-income households, including people with disabilities, are among the hardest hit by disasters and have the fewest resources to recover. Federal, state, and local governments often have failed to consider and meet the needs of people with disabilities during and after natural disasters, including during the coronavirus pandemic when many individuals with disabilities faced dangers living in congregate care facilities.

This issue of *Tenant Talk* focuses on the housing obstacles faced by people with disabilities and paths forward. Progress has been made after decades of work by disability and housing activists, but there is still so much more to do. Making homes and communities accessible and inclusive to people with disabilities benefits everyone, and we can and must do better for the over 40 million people in the U.S. living with disabilities. NLIHC is dedicated to advancing solutions to ensure that every person has access to - and the opportunity to choose to live in - safe, accessible, and affordable homes. We hope you will join us in this fight!

In Solidarity,

*Editorial Board*



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# HOUSING & DISABILITY

# JUSTICE



# OLMSTEAD V. L.C:

## COMMUNITY INTEGRATION IS A FUNDAMENTAL RIGHT FOR PEOPLE WITH DISABILITIES

The 1999 Supreme Court decision *Olmstead v. L.C.* ruled that segregation of people with disabilities is discrimination and violates the Americans with Disabilities Act (ADA). The case was brought before the court by Lois Curtis and Elaine Wilson, two women living with developmental disabilities who were voluntarily admitted to the Georgia Regional Hospital for treatment. After finishing treatment and despite being told by their doctors they were ready to go to a community-based program, Lois and Elaine remained confined to Georgia Regional Hospital for several years. The two women filed a lawsuit to be released from the hospital, arguing their confinement was a violation of their rights under the ADA's "integration mandate," which requires that people living with disabilities receive care and services in the most integrated setting possible, according to their needs. The Supreme Court agreed, ruling the ADA prohibits the "unjustified segregation of people with disabilities" and publicly run care facilities are required to provide services in the most integrated setting possible when it's appropriate, when the person with disabilities wants to live in an integrated setting, and when providing services in an integrated setting can be reasonably accommodated by the state.

*Olmstead v. L.C.* set an important principle for how communities need to uphold the rights of people with disabilities and carved a path for future lawsuits that would reaffirm the right of people with disabilities to live in the most integrated setting possible. For example, one court ruled that *Olmstead v. L.C.* also protects people currently living in communities but at risk of institutionalization; others have required states to provide additional Medicaid-funded services to ensure they are following *Olmstead v. L.C.*

The Office of Civil Rights (OCR) at the Department of Health and Human Services (HHS) is responsible for supporting and enforcing the *Olmstead v. L.C.* decision. As a result of this enforcement, individuals with disabilities who had been institutionalized for years have been able to rejoin their communities, countless people have avoided institutionalization, and additional resources have been provided to expand the availability of community-based services. Despite this progress, there is still work to be done to ensure states are in compliance with *Olmstead v. L.C.* and the ADA, and the fundamental rights of people living with disabilities are recognized and upheld.



# UNIVERSAL DESIGN FOR SENIORS AND PEOPLE WITH DISABILITIES

**A**ffordable housing must be accessible for all people and intentionally create spaces for people with disabilities. According to the [Center on Budget and Policy Priorities](#) (CBPP), 23% of the 10.4 million people using federal rental assistance have a disability. A [report](#) from the National Disability Institute shows that the poverty rate is twice as high for adults with disabilities. Although there is high demand for affordable and accessible housing, [fewer than 200,000 housing units](#) in the U.S. are universally accessible and only a fraction of those units is affordable.

Incorporating universal design is one way to build housing for people with disabilities. Universal design creates housing that is usable, meaning it can be used by people with or without disabilities without the need for adaptation. Disabled architect Ronald Mace created the idea of “[universal design](#)” to make accessibility an essential part of architecture and to prioritize disability needs in design practices. The following [principles](#) are used to guide universal design, although some advocates include additional categories such as social integration and cultural appropriateness:

1. Equitable Use - The design can be used by a wide range of body sizes and abilities.
2. Personalization- The design is made for a wide range of individual preferences.
3. Simple and Intuitive - Any user can understand how to operate and use the design.
4. Awareness - The design communicates necessary information to the user, regardless of their surroundings or the user’s sensory abilities.
5. Wellness - The design protects the user from any possible danger.
6. Comfort - The design minimizes the amount of physical effort needed for use.

7. Sufficient Size and Space- The design accommodates different postures and mobility and provides enough space to use assistive devices or personal assistance.

Universal design predicts the needs and wants of a diverse group of users. Although the design approach benefits all users, it can lessen the need for assistive technology devices or make them easier to install and use because it was created for users with disabilities.

As described by the [Whole Building Design Group](#), several laws establish minimum requirements for accessible built environment design and construction, including the Americans with Disabilities Act of 1990 (ADA) and Section 504 of The Rehabilitation Act of 1973. (See details in other parts of this *Tenant Talk*.) Although federal policies prohibit discrimination and determine the number of affordable units required by federal programs, advocates continue to push for an expansion of these laws and housing resources that meet the needs of people with disabilities, both in the design of units and how housing connects with other community resources and services.

The [Center for American Progress](#) identifies several federal policy changes that could increase the number of accessible units. One of the suggestions is that Section 504 increase the percent of new HUD-funded housing units that are accessible. Other suggestions include more HUD funding for affordable housing for people with disabilities, creating funding for housing modifications, having community-based accessible housing, and connecting housing to important services and resources. To encourage the construction of universally designed units, some localities have passed Universal Design ordinances, like the City of Fremont, CA, [Universal Design Ordinance](#), which go further than the ADA in requiring that builders offer accessibility features to buyers as upgrades.

There are several examples of local projects that integrate accessibility and affordability for tenants. [University Neighborhood Apartments](#) in Berkeley, CA, was the nation's first affordable housing building with universal design features. Because every apartment included universal design features, tenants with disabilities had access to the whole community. [Washington Court](#) in Iowa includes 36 affordable rental housing units, a health care provider, and a social service agency. Nine of those affordable units have additional features for residents with mobility and sensory disabilities. When researchers surveyed residents, roughly half the residents said they directly benefited from the universal design features.

In "[Universal Design and the Problem of 'Post-Disability' Ideology](#)," Aimi Hamraie, assistant professor

of medicine, health, & society and American studies at Vanderbilt University, describes the down sides to universal design. The report warns that when universal design advocates focus on accessibility for **everyone**, it can erase or marginalize the explicit needs of people with disabilities. Refencing another scholar Rosemarie Garland-Thompson, Hamraie explains that design "must involve treating disability itself as a valuable way of being in the world, one that societies must work to accept and preserve rather than cure or rehabilitate." Design is more than a checklist of features in a housing development. As policies are adapted and conversations around accessible architecture in affordable housing change, designers should center people with disabilities and build for their interests.



PHOTO BY SIGMUND ON UNSPLASH

# DISASTER RECOVERY AND ACCESSIBILITY

The country [observed](#) the 31st anniversary of the Americans with Disabilities Act (ADA) on July 26, but much work remains to be done to ensure older Americans and individuals with disabilities can access the assistance and services they need to survive and fully recover from disasters without unnecessary institutionalization. The importance of this work has been magnified in the past year by the large number of deaths of individuals with disabilities and of older Americans from COVID-19 and other major disasters.

People with disabilities are twice to four times more likely to die or sustain a critical injury during a disaster than people without disabilities. Yet many emergency plans do not include details on how to reach individuals with disabilities during times of disaster or afterwards. For many older people and individuals with disabilities, the lack of disability-specific aid results in their unjust institutionalization.

The impact of COVID-19 on people staying in shared living spaces has been severe. Nationwide, deaths occurring in long-term care facilities accounted for 40% of all reported COVID-19 fatalities. Similar mortality levels were observed for psychiatric facilities in many states. These rates were increased for facilities located in communities of color, where systemic racism and discrimination have led to higher levels of COVID-19 sickness and deaths. COVID-19 likewise posed a severe threat to individuals experiencing homelessness who suffer from high rates of chronic diseases, mental health issues, and other conditions. While some organizations were able to use FEMA funding to move individuals experiencing homelessness into hotel rooms, FEMA requirements made it difficult for individuals with disabilities to get the same access to hotels.

NLIHC and several disability justice organizations [called on](#) FEMA to expand its reimbursements to include more individuals with disabilities and held a [webinar](#) on ways disability and homeless service organizations can work together to ensure marginalized individuals can access life-saving shelter in hotel rooms. The NLIHC-led Disaster Housing Recovery Coalition (DHRC) continues to work with its partners in the disability justice community to ensure COVID and disaster-related assistance and services are accessible to all, including individuals with disabilities.



PHOTO BY DANIEL ALI ON UNSPLASH. SIGN ON BRICK WALL LABELED "ACCESSIBLE ENTRY"



# MONEY FOLLOWS THE PERSON

Medicaid's Money Follows the Person (MFP) demonstration program has helped seniors and people with disabilities move from institutions, such as nursing homes, back into their homes and communities. By providing enhanced federal matching funds to states, the Centers for Medicare and Medicaid Services (CMS) of the U.S. Department of Health and Human Services (HHS) encourages states to use their long-term care spending for home and community-based services (HCBS) over institutional care. These services provide individuals with the option to live independently in a place of their choosing.

MFP is important because state Medicaid programs are required to cover nursing facility services (i.e., nursing home and institutional services) but not HCBS. As a result, many individuals receiving Medicaid had no control over how and where they received their services, resulting in a strong bias towards institutional care. When the MFP program was initially introduced, CMS worked with communities across the country to document the history of institutional care as well as the experiences of people entering MFP programs. Many individuals stated they were very hopeful that the program would provide them with a more affordable and dignified place to live. Research conducted after the demonstration found many benefits to having individuals move out of long-term care facilities into housing of their choosing. Individuals participating in these programs experienced increased satisfaction with their lives, living arrangements, quality of care, independence, and sleep quality.

Since 2008, the MFP program has helped over 100,000 individuals move out of institutions. Originally, 44 states were interested in developing their own MFP programs, but only 33 are currently operating them due to a lack of funding. The MFP program was, however, recently extended for three years in the Consolidated Appropriations Act of 2021 (CAA), allowing the program to continue supporting individuals in settings of their choosing.

The MFP program has provided dignity and choice for many people with disabilities who have been able to participate. In states that do not yet have an MFP program, advocates should encourage their state legislatures to establish one. Additionally, states can pass legislation like New York State's Senate Bill S1836, which establishes an office of the advocate for people with disabilities. This office can help ensure programs like MFP are funded and Medicaid's institutional bias is eliminated. Increasing resources for people with disabilities can help them live with dignity in a safe and affordable home.

# AFFORDABLE, ACCESSIBLE HOUSING FOR PEOPLE WITH INTELLECTUAL OR DEVELOPMENTAL DISABILITIES:

## START WITH WHAT PEOPLE WANT

BY: NICOLE JORWIC, J.D., SENIOR DIRECTOR OF PUBLIC POLICY, THE ARC OF THE UNITED STATES

People with disabilities have a right to live in their own homes in their communities but exercising that right can be difficult. People with disabilities have faced a history of discrimination when it comes to access to housing and inclusion in their communities. The Arc's [position statement](#) on housing outlines the issue very clearly: "People with [intellectual or developmental disabilities] IDD face a housing crisis with many contributing factors, such as a serious lack of safe, affordable, accessible and integrated housing, and significant housing-related discrimination. Outmoded public policy and programs which unnecessarily segregate people with IDD, as well as lack of coordination among funding systems, also pose major barriers."

To solve the issues in the existing system, it is important to understand what people with IDD want. They want the ability to control where and with whom they live, the choice of how they spend their time, and the choice to decide what supports are needed. The Arc and the Council on Quality and Leadership (CQL) released a [Housing Report](#) in 2019 that made clear that people with IDD need and want more options to live independently in their communities – equal access to affordable and accessible public housing can help fill that need.

The report findings also make clear that there needs to be more coordination and outreach among the

housing and IDD service systems, including Medicaid-funded home and community-based services (HCBS) that often fund the residential supports needed for successful independent living. Some people with IDD might need more support than the typical applicant for public housing benefits, and unfortunately those who work to provide housing supports are not typically trained or knowledgeable about how to provide supports specifically to meet the needs of people with disabilities. Similarly, staff who work to provide Medicaid HCBS don't have knowledge of the housing supports and funding that may be available. There must be more training for those working in state housing programs, and collaboration between housing and developmental disabilities agencies. This coordination would help people with IDD navigate the housing eligibility and application process, something that can seem daunting to most. People with IDD and their family members left to figure it out on their own may give up and continue with the status quo because it can seem like an impossible process. To provide equal access to affordable housing opportunities for people with IDD, more must be done to support the housing and developmental disabilities systems, including increasing funding for more housing and training and coordination to make both systems' programs easier to navigate.

# MEDICAID RECIPIENTS BENEFIT FROM THE AMERICAN RESCUE PLAN'S FUNDING FOR HOME AND COMMUNITY-BASED SERVICES

Home and community-based services (HCBS) help seniors and people with disabilities with their daily needs, allowing them to remain in their own homes. Services can include supportive housing, home health aid services, assistive technology, and support with daily activities. Without these supports and services, these individuals might not be able to live independently in their communities and could be forced to seek institutional care.

Home-based care allows individuals to remain in a familiar and comfortable environment, live closer to critical support networks such as family and friends, participate in community life, and have more control over their daily routines. A review of multiple studies detailing the experiences of individuals with intellectual and developmental disabilities (IDD) found evidence that a home-based model offers greater benefits than institutional care.<sup>1</sup> HCBS programs were shown to improve independent living skills, decrease unmet healthcare needs, reduce the likelihood that caretakers would need to leave their jobs, and reduce racial disparities in accessing care. HCBS care is also more cost-effective for the state.

Medicaid is the main source of coverage for HCBS

services and pays for almost 60% of all HCBS.<sup>2</sup> In 2018, over 2.5 million people received services through Medicaid HCBS in 50 states and DC. Despite this coverage, there is significant unmet need for HCBS that was exacerbated during the COVID-19 pandemic. In response, the American Rescue Plan (ARP) provided additional funding to states for the delivery of Medicaid HCBS. Specifically, it increased the federal matching rate—better known as the FMAP—by 10% for Medicaid HCBS. This means that for every dollar a state spends to support HCBS for seniors and people with disabilities, the federal government will pick up 10% more of the cost. This increase is in effect through March 31, 2022.

States can use these extra funds to support a variety of different projects, but they must be dedicated to strengthening Medicaid HCBS. The Centers for Medicare and Medicaid Services (CMS), the agency that administers the Medicaid HCBS program, released a list of examples for how a state might use the funds to support individuals to safely remain in their homes and communities and to support the direct care workforce.<sup>3</sup> Examples include expanding the types of services that are covered, reducing waitlists for services, addressing social factors of health such as housing, and raising worker compensation.<sup>4</sup>

- 1 McLean, K. J., Hoekstra, A. M., & Bishop, L. (2021). United States Medicaid home and community-based services for people with intellectual and developmental disabilities: A scoping review. *Journal of applied research in intellectual disabilities : JARID*, 34(3), 684–694. <https://doi.org/10.1111/jar.12837>
- 2 Musumeci, M. B. (2020, May 5). *How Are States Supporting Medicaid Home and Community-Based Services during the COVID-19 Crisis?* Kaiser Family Foundation. <https://www.kff.org/coronavirus-covid-19/issue-brief/how-are-states-supporting-medicaid-home-and-community-based-services-during-the-covid-19-crisis/>.
- 3 Centers for Medicare & Medicaid Services. (2021, May 13). Implementation of American Rescue Plan Act of 2021 Section 9817: Additional Support for Medicaid Home and Community-Based Services during the COVID-19 Emergency. Baltimore, Maryland.
- 4 Chidambaram, P., & Musumeci, M. B. (2021, May 28). *Potential Impact of Additional Federal Funds for Medicaid HCBS for Seniors and People with Disabilities*. Kaiser Family Foundation. <https://www.kff.org/medicaid/issue-brief/potential-impact-of-additional-federal-funds-for-medicaid-hcbs-for-seniors-and-people-with-disabilities/>

# AN IMPORTANT RESOURCE:

## CENTERS FOR INDEPENDENT LIVING

BY BRIAN PETERS; INDEPENDENCE FIRST; MILWAUKEE, WI

The Independent Living movement in the 1970's led to the creation of the Centers for Independent Living (CILs). Inspired by the civil rights movement's nonviolent civil disobedience, disability activists fought, and continue to fight, for the right to live independently in the community. Disability activists work to establish expectations that places will be accessible, and that programs and services will be available to people with disabilities. Disability advocates fought for the passage and implementation of laws such as the Rehabilitation Act of 1973, Fair Housing Amendments Act, Air Carrier Access Act, Americans with Disabilities Act, and many others.

Also known as Independent Living Centers, the CILs are nonprofit organizations that are run by people with disabilities, and provide services for people with disabilities. Many are federally funded, while others are funded by their states. They are required to have at least half of the board of directors be persons with disabilities, and at least half of the staff be persons with disabilities. This means that CILs are very grassroots because issues that affect people with disabilities also affect the staff of CILs.

Each CIL is required to perform four core services: advocacy, information & referral, independent living skills training, and peer support & mentoring. A fifth core service, transition, was added in 2014. This is really two core services; one part is to help youth with disabilities transition out of school life. The other part is to help people with disabilities transition from institutions such as nursing homes into the community so they can live independently with the support and services they need. CILs also work with people with disabilities at risk of being put into institutions to make sure they stay in the community.

Many CILs also have other programs and services such as assistive technology resource centers, recreational programs, etc. The core services and many additional programs and services are free to people with disabilities. Others that some CILs may have, such as benefits counseling, accessibility assessments or work incentives programs, come from other funding sources and may require a referral process. There are 403 CILs in the United States and territories. Many CILs also have additional branch offices in their service areas. You can find your local CIL using this [directory](#).



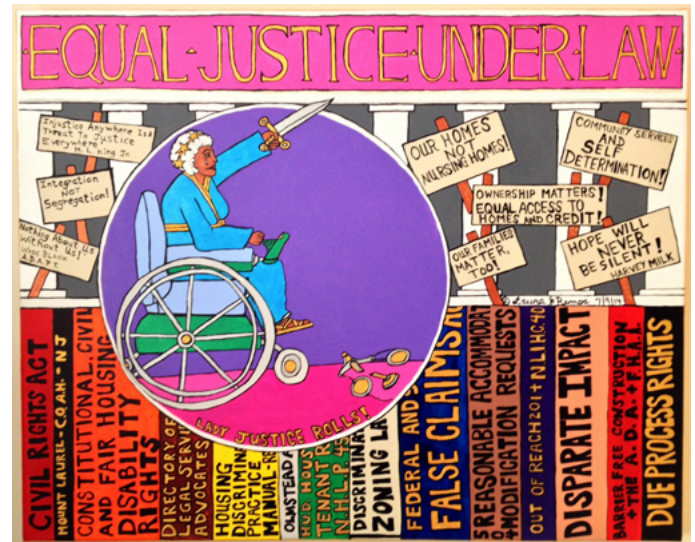
# "LADY JUSTICE ROLLS"

BY LAURA RAMOS, EVERYONE FOR ACCESSIBLE COMMUNITY HOUSING ROLLS!

"Lady Justice Rolls!" is a painting that embodies the history, discrimination, and despair that people with disabilities in the United States are facing, while at the same time representing the victories people with disabilities have achieved and the power of speaking up and fighting back. She is painted as an elderly woman of color, because elderly women of color are often the most overlooked, neglected, and disadvantaged in our country, and even the lowest-income and most overlooked deserve equal rights. Whether we are older, people of color, mobility-impaired, poor or rich, blind, deaf, or have any other challenges, Lady Justice represents all of us.

My name is Laura Ramos, and I am the president of a very small 501(c)(3) organization Everyone for Accessible Community Housing Rolls! Inc (EACH Rolls!). It was founded in 2001 when three women with disabilities (myself included) were refused downstairs apartments in our building by our landlord. There were ground-floor apartments available, but the landlord did not want to make them available to us. We decided to file a fair housing complaint against the landlord. Eventually, we helped five individuals or families with disabilities move into ground-floor apartments at that complex. Our work did not stop the disability discrimination entirely, but it made a world of difference for those residents!

I painted "Lady Justice Rolls!" in 2014 after my family had been denied the opportunity over and over again to participate in two housing programs for low-income people in New Jersey that would have finally given us the chance to own a wheelchair-accessible home. The organization running the programs told us they would not build a wheelchair-accessible home, only a wheelchair-adaptable one. They told us that we could put in the accessibility features after the home was built, but they could veto any they didn't want in the home. They never answered our questions: How are we going to get into the home if there's no ramp? How are we



going to have funds to pay for modifications, when all our resources will be tied up in the mortgage? To this day, that organization has not built a fully wheelchair accessible home, except their very first one over 30 years ago.

I painted "Lady Justice Rolls!" to take my despair and make something positive from it – an image that embodied my passion for housing justice and the belief that someday we will overcome and have a wheelchair-accessible home of our own. I painted "Lady Justice Rolls!" so that others might see there is hope even in the darkest hours and that no one is alone.

I can be reached at [eachrolls@yahoo.com](mailto:eachrolls@yahoo.com) or P.O. Box 4905, Clinton, New Jersey 08809. (EACH Rolls! doesn't have its own website because we haven't had the resources to make one.) Perhaps others would like to help in our efforts for equal housing opportunity for people with disabilities in New Jersey and beyond!

## RESIDENT PERSPECTIVE



# HOW CAN YOU FIGHT FOR YOUR OWN ACCESSIBLE AND AFFORDABLE HOME

TIPS FROM LAURA RAMOS, EVERYONE FOR ACCESSIBLE COMMUNITY HOUSING ROLLS!) JUSTICE ROLLS"

1. Learn about your federal, state, and local housing, disability, and civil rights. Research the laws, regulations, statutes, and cases needed to provide the legal and moral grounding to support your right to housing justice.
2. Don't just complain, file complaints right away! There are deadlines for submitting complaints – 1 year from the day the discrimination happened for complaints sent to HUD's Office of Fair Housing and Economic Opportunity and two years for ones sent to the federal court. Nothing will change unless you take the risk and put the complaint in writing to provide the proof that the discrimination happened. Let your voice be heard.
3. Invite veterans of the civil, constitutional, disability, and housing rights movements to speak to you and your neighbors. Learn what worked for them so you can plan what will work for you. Build on strategies and best practices that already exist.
4. Invite people who know about the various housing programs in your area to discuss the affordable and accessible housing opportunities that are currently available or will become available in your area.
5. Find out if there are resource allocations for building accessible housing units, "adaptable" housing units, and/or modifying inaccessible housing units in your community. If there are no resources available, ask why!
6. Find out who the decision-makers are in your local, county and state affordable housing programs and who represents you. Let them know that there are very few or no accessible housing units being built in your community and no/insufficient funds to make inaccessible units accessible. Inform them of any systemic barriers the elderly and people and families with disabilities face in trying to access equal opportunity. Demand funding for more accessible and affordable units.
7. Become a leader. Convene and teach others about what you have learned and fought for in pursuing equal housing opportunities. You can start out small by reaching out to people in your family, building, or neighborhood. Then expand outward!
8. Reach out across isolated groups to provide support and gain understanding, compassion, and strength. We may not all share the same income limitations, languages, religions, disabilities, ages, genders, sexual orientations, or educations, but we can all learn from each other and come together in the shared need for decent, safe, accessible, and beautiful housing.
9. Remember that you are not alone. There are thousands of us across the country that need the same things and are facing the same obstacles. Reach out and write to: [eachrolls@yahoo.com](mailto:eachrolls@yahoo.com) to connect to advocates like yourself.

As Margaret Mead said,

*"Never doubt that a small group of thoughtful, committed citizens can change the world; indeed it is the only thing that ever has."*

Each one of us, citizen or not, can work together for what is right and just, and for that little piece of heaven - a safe, accessible home in which to live.



"BETH STANDING IN THE ENTRYWAY OF HER HOUSE"

# HOW HOUSING LEADS TO INDEPENDENCE FOR PEOPLE WITH INTELLECTUAL OR DEVELOPMENTAL DISABILITIES: BETH'S STORY

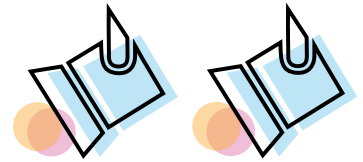
BY: NICOLE JORWIC, J.D., SENIOR DIRECTOR OF PUBLIC POLICY, THE ARC OF THE UNITED STATES

It is empowering for anyone to be a homeowner, having an answer to "where do you live?" that doesn't include with your parents. Homeownership is rare for someone with disabilities due to inefficiencies and lack of funding in the housing system.

The patchwork system is complicated to navigate, leaving many families and individuals with disabilities staying with the status quo of the family home until there is a crisis, instead of being proactive and identifying housing subsidies and supports that may be available. Beth and her family bucked that trend. Beth knew ever since high school that she wanted to have her own home, just like her older sister and friends. Beth's parents assisted her in learning what housing supports were available. Here is a little more from Beth about her story.

- *Where do you live?* I live in Elmhurst, IL. I live in a ranch with two bedrooms and a basement. I just renovated my kitchen.
- *What housing supports do you receive?* I receive a housing voucher from the housing authority, which helps me pay for my rent. I can afford to stay in a nice place, in a nice area without needing to have a roommate.
- *What do these housing supports mean to you and your independence?* It means everything. I like not having to share my space; I can do whatever I want; I can leave and lock the house and feel like I am on my own. I like to cut my grass and clean my house myself. I have nice neighbors; we help each other, watch each other's houses, and look for each other.
- *What is your favorite part of having your own place?* I like being like everybody else, having my own place, and having my independence. I like having control over my space. In a group home you may not be able to invite people over, or may have to sign people in. I have more freedom than that. I also like being able to have my boyfriend over whenever [I] want without limitations.
- *Do you think there should be more housing help for people with disabilities?* I think they should. [Others] are like me, they want to do it, but they may not have the chance to use their voice to share what they want, and not get access to the support they need to live on their own.

The Arc of the United States advocates for more housing supports so that all people with disabilities have access to what they need to live independently, like Beth.



# MARYLAND'S "RIGHT TO COUNSEL" PROTECTS RENTERS FROM EVICTION

**M**aryland became in May the second state with a "right to counsel" through the passage of H.B.18. "Right to counsel" means that income-eligible renters will have access to free legal representation in eviction courts. H.B.18 also requires landlords to send tenants a 10-day notice before beginning the process of filing an eviction for overdue rent. The notice must also include information about legal resources and financial assistance. Maryland advocates continue to push for funding for implementation of the law before it takes effect in October.

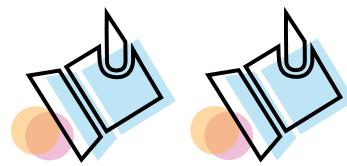
Renters United Maryland tirelessly campaigned to pass H.B. 18 because a right to counsel is critical for protecting residents and lessening the negative impact of evictions. Even when an eviction occurs, lawyers can help prevent an eviction from being formally entered on a tenant's record or help extend the deadline for the tenant to move. These actions are important because

formal evictions make it harder for tenants to find future housing.

Right to counsel is essential given the number of potential upcoming evictions in Maryland. The state currently has between 120,000 and 180,000 eviction cases pending. Although 96% of landlords have a lawyer in eviction courts, 99% of renters face eviction without a lawyer. Evictions are also an issue of equity because communities of color and low-income renters are disproportionately at risk of eviction.

Campaigns for right to counsel are increasing around the nation as a result of tenant organizing efforts. Right to counsel exists in other states and cities such as Connecticut, Washington, San Francisco, Denver, Louisville, Cleveland, Philadelphia, Newark and New York City. The legislation has been impactful - in Cleveland, 93% of tenants who received legal representation were not evicted.





# NATIONAL ADAPT ADVOCATES FOR DISABILITY JUSTICE DURING PANDEMIC

**N**ational ADAPT, the world's largest grassroots disability rights activist organization, has been fighting for disability justice throughout the COVID-19 pandemic. ADAPT engaged in media, policy, and advocacy campaigns to bring awareness to the dangers of nursing facilities during the pandemic, and the need to adequately fund community supports and services so that people with disabilities can live and receive care on their own terms.

ADAPT members created the *Lives Worth Life* social media campaign in early 2020 to bring attention to the fact that disabled and aging people in nursing homes, institutions and other congregate settings were dying at alarming rates. These settings were COVID-19 cluster sites, resulting in the deaths of 70,000 people, 40% of the total COVID-19 deaths. (As of July 15, 2021, more than 184,000 nursing home residents and staff had died as a result of COVID-19). ADAPT produced videos highlighting the need for people with disabilities and the elderly to be moved out of congregate settings and into the least restrictive sites possible in their own communities.

Members took further action to advocate for disability justice during COVID-19 by holding a hearing in October of 2020 on the U.S. Capitol's East Lawn. Advocates urged members of Congress to include resources for Medicaid-funded home and community-based services (HCBS), housing, PPE, and livable wages for caretakers in any COVID-19 relief packages. Speakers included Senator Bob Casey (D-PA), former Congressman Beto O'Rourke (D-TX) and people with disabilities from across the U.S.

The push for Congress to include funding for housing and community-based services was successful. In the Consolidated Appropriations Act of 2021, the Medicaid-funded program, Money Follows the Person, was extended for three years. This program helps states provides funding for services to help transition individuals who wish to leave a nursing home or other institution into the community. ADAPT was thrilled with the victory and are now pushing for the program to be permanently expanded in the American Jobs Plan Act.

To learn more about National ADAPT visit: [nationaladapt.org](https://nationaladapt.org)



# POLICY UPDATE



## CONGRESS CONTINUES DEBATE OVER \$3.5 TRILLION RECONCILIATION PACKAGE WITH \$327 BILLION IN AFFORDABLE HOUSING INVESTMENTS

Congress is working to enact a \$3.5 trillion infrastructure and economic recovery package through a legislative process known as “reconciliation,” which allows a bill to pass the Senate with a simple majority of 51 votes instead of the usual 60 required to pass the chamber. The House Financial Services Committee voted on September 14 to move forward with landmark legislation that would invest \$327 billion in affordable housing as part of the reconciliation package, including significant funding for [NLIHC’s HoUSed campaign’s top priorities](#): \$90 billion for rental assistance, \$80 billion to preserve public housing, and \$37 billion for the national Housing Trust Fund (HTF)

Negotiations over the package between the White House and congressional leaders are ongoing, with centrist Democrats, including Senators Joe Manchin (D-WV) and Kyrsten Sinema (D-AZ) and several moderate House Democrats,

threatening to vote against the legislation unless the cost comes down. The even split between Democrats and Republicans in the Senate means every Democrat in the chamber must vote in favor of the reconciliation package to see it enacted.

We need your help to ensure that any infrastructure and economic recovery package includes the [#HoUSed campaign’s top priorities](#): \$90 billion for rental assistance, \$80 billion to preserve public housing, and \$37 billion for the national Housing Trust Fund (HTF). Together, these resources will help ensure that America’s lowest-income and most marginalized households have safe, accessible, and affordable homes. Call your representatives and senators today and urge them to support the HoUSed campaign’s policy priorities in the next infrastructure and recovery package! Find the phone numbers of your members of Congress at: <https://www.govtrack.us/>





## SUPREME COURT INVALIDATES CDC EVICTION MORATORIUM; WHAT AT-RISK RENTERS SHOULD DO

**A**s the Delta COVID-19 variant surges, over 6.5 million renter households remained behind on rent and at heightened risk of losing both their homes and their ability to stay safe during the pandemic. The Supreme Court [ruled](#) (6-3) on August 26 to end the temporary stay on a lower court ruling seeking to overturn the federal eviction moratorium issued by the Centers for Disease Control and Prevention (CDC) on August 3. In doing so, the Supreme Court's ruling invalidates the federal eviction moratorium, eliminating vital eviction protections keeping millions of households stably housed. State and local governments are working to improve programs to distribute [emergency rental assistance](#) (ERA) to those in need, but they need more time; the Supreme Court's decision will lead to many renters, predominantly people of color, losing their homes before the assistance can reach them.

### For Renters in Need of Assistance

If you or someone you know needs emergency rental assistance (ERA):

- **Call 2-1-1 or visit [www.211.org](http://www.211.org).** 2-1-1 will connect you to a local call center that can share information about local programs that might be able to help.
- **Find your local ERA program using NLIHC's [database](#).** More than 1,000 emergency rental assistance programs have been created or expanded the pandemic, and Congress has provided \$46 billion to help renters remain stably housed. If you haven't yet, **apply right away** – it will take time for the money to get to you and your landlords.
- **Contact a legal aid attorney.** Get further guidance from a legal aid attorney. A list of legal aid organizations can be found [here](#) and [here](#).
- **Contact your representatives and senators.** District office staff often know of available state/local resources, and it's very important that your members of Congress hear about the housing challenges you are facing.

The Biden administration issued a [statement](#) on August 2 outlining additional steps it will take to protect renters and prevent evictions during the pandemic - a direct response to pressure by NLIHC, its members and partners, and congressional champions to urge the Biden administration to take every action possible to ensure housing stability during and after the pandemic.

In its statement, the administration committed to several actions, including [those recommended by NLIHC and the National Housing Law Project](#) to: direct federal agencies to consider all legal authorities to stop evictions; encourage states and localities to establish or extend their own eviction moratoriums; call on courts to stop eviction proceedings until renters and landlords first apply for ERA; direct federal housing agencies to ensure federally supported landlords apply for ERA rather than evict renters; and ensure federal funds can be used to support eviction prevention efforts by courts, legal aid groups, and housing counselors.

On August 27, Treasury Secretary Janet Yellen, HUD Secretary Marcia Fudge, and Attorney General Merrick Garland sent a [letter](#) to state and local government leaders urging them to take immediate action to prevent unnecessary evictions. The letter highlights actions the administration has taken to accelerate the distribution of [ERA](#) and urges state and local officials to enact their own policies to protect renters and landlords.

The letter states that “no one should be evicted before they have the opportunity to apply for rental assistance, and no eviction should move forward until that application has been processed.” The letter urges governors, mayors, county executives, and chief justices and state court administrators to:

- Enact their own eviction moratoriums during the remainder of the public health emergency.
- Work with state and local governments to require landlords to apply for ERA before they can initiate eviction proceedings.
- Stay eviction proceedings while ERA applications



are being processed.

- Use ERA and [State and Local Fiscal Recovery Funds](#) (“[Fiscal Recovery Funds](#)”) allocated through the “[American Rescue Plan Act](#)” to support the right to counsel and eviction diversion strategies.
- Remove unnecessary barriers to accessing ERA funds by adopting the recommendations in Treasury’s revised [guidance](#), including expediting assistance by relying on renter self-attestations without demanding further documentation.

Enacting the policies outlined in the letter will help ensure renters are not evicted before ERA resources reach them.



## IMPORTANT DISASTER RECOVERY REFORM EFFORTS MOVE FORWARD

The NLIHC-led Disaster Housing Recovery Coalition (DHRC) – a group of over 850 local, state, and national organizations working to ensure that all disaster survivors receive the assistance they need to fully recover – has been pushing reforms to HUD and FEMA disaster recovery programs and the passage of two pieces of legislation helping ensure access to these vital disaster recovery resources.

The DHRC achieved a major victory on September 2 when FEMA announced it would modify its aid application process to remove several barriers that caused thousands of eligible disaster survivors to be wrongfully denied FEMA assistance. In the past, FEMA turned away eligible disaster survivors unable to present property title, written leases, and other similar documents to show residency and occupancy of disaster-damaged property. In areas where mobile homes and alternative property ownership methods are common, such as in Puerto Rico, the Gulf Coast, Northern California, and the Pacific Northwest, disaster survivors had been prevented from receiving aid because of this requirement. After Hurricane Maria in 2017, 77,000 households in Puerto Rico were wrongfully denied assistance by FEMA due to title-documentation

issues. Thanks to the advocacy of DHRC members and partners, FEMA [announced](#) it would expand the list of documents disaster survivors can use to show they own or occupy a disaster-damaged home and permit disaster survivors to self-certify that they own or occupy their home under certain circumstances. The DHRC and fellow disaster recovery advocates have been pushing for such a change for the last 15 years.

Despite these welcome changes, the DHRC will continue to push for the passage of the “[Housing Survivors of Major Disasters Act](#)” to protect and expand upon the reforms and ensure that those wrongfully denied by the agency during past disasters receive the assistance they are owed. Senator Elizabeth Warren (D-MA) and Representative Adriano Espaillat (D-NY), along with Congresswoman Jennifer Gonzalez Colon (PR), [reintroduced](#) the bill, written with input from the DHRC. Each member of The House of Representatives voted to pass last year’s version. The bill would expand upon the recent changes to make it easier for disaster survivors to prove residency in disaster-impacted areas or ownership of a disaster-damaged home through a “declarative statement” attesting to ownership of the



property or through the submission of utility bills, credit card statements, pay stubs, and school registrations. These changes ensure that even more disaster survivors with low incomes would be able to get the assistance they need without being forced to endure a long and complicated title-clearing process or otherwise go without much-needed assistance.

The DHRC is also pushing legislation to improve HUD disaster recovery programs. Senators Brian Schatz (D-HI), Susan Collins (R-ME), Todd Young (R-IN), Patrick Leahy (D-VT), Ron Wyden (D-OR), and Bill Cassidy (R-LA) as well as Representative Al Green (D-TX) introduced the “Reforming Disaster Recovery Act” on July 22. The bipartisan bill contains [critical reforms](#) proposed by DHRC members for the federal government’s long-term disaster recovery program, the Community Development

Block Grant–Disaster Recovery (CDBG-DR) program. The program is currently unauthorized, meaning that HUD must create and publish new rules and regulations each time funds are approved by Congress for it. These extra requirements prevent much needed long-term recovery funds from reaching disaster survivors quickly. The “Reforming Disaster Recovery Act” would permanently authorize the CDBG-DR program and direct HUD to codify program requirements, allowing states to anticipate program rules and prepare before disasters strike. The bill would also cement the requirement that funds be used to assist low-income disaster survivors and allow “quick-release” funding to support state and local capacity without waiting for congressional approval.

## FAIR HOUSING AND DISABILITY JUSTICE

**D**espite several laws prohibiting housing discrimination against people with disabilities, including the Fair Housing Act, housing discrimination is still common today. According to the National Fair Housing Alliance’s (NFHA) [2021 Fair Housing Trends Report](#), nearly 60% of fair housing complaints received in 2020 were disability-related, 26.8% of complaints were race-related, and 13.7% were sex-related.

The Fair Housing Act prohibits discrimination in the sale, renting, and financing of dwellings and in other housing-related activities based on disability, among other protected classes. Other federal civil rights laws - including Title VI of the Civil Rights Act, Section 504 of the Rehabilitation Act, and the Americans with Disabilities Act - prohibit discrimination in housing and community development programs and activities, including HUD-funded programs. These federal laws require programs to take meaningful action to undo patterns of segregation and to create inclusive communities free from barriers that prevent access to opportunity. The laws also protect members of designated classes against less explicit cases of discrimination in housing.

### Disparate Impact

Disparate Impact is best understood as a method for proving housing discrimination without having to show that the discrimination was intentional. For more than 45 years, HUD interpreted the Fair Housing Act to prohibit housing policies or practices that have a discriminatory effect, even if there was no apparent intent to discriminate. HUD published a Disparate Impact Rule on February 15, 2013, which created standards for determining when a housing policy or practice with a discriminatory effect violates the Fair Housing Act. Disparate Impact allows people to show that a housing policy or program has a discriminatory impact on them because of their race, national origin, sex, disability, family status (have children), or religion—even if the policy or program appears to apply to everyone equally. NFHA provides the following [examples](#) of Disparate Impact discrimination:

- An apartment complex allows only people with full-time jobs to rent units, barring disabled veterans and other people with disabilities who may not be able to work full-time, even though they can afford the apartment. The complex could instead consider



all income to determine someone's ability to pay rent.

- A city prohibits the development of housing affordable to working-class people, driving out most or all people of color and people with disabilities. If the city cannot show a valid reason for its policy, or if a fairer and more effective alternative is available, then the policy would be discriminatory under the Disparate Impact standard.
- A lender's policy allows its loan officers to overcharge consumers at the loan officer's discretion – e.g., women are charged higher rates than men, even though both have the same credit profiles. The Disparate Impact standard would require the lender to abandon the policy and ensure women are not over-charged.

### Affirmatively Furthering Fair Housing

The Fair Housing Act requires jurisdictions receiving federal funds for housing and urban development activities to affirmatively further fair housing (AFFH) – to take actions to undo historic patterns of segregation and other types of discrimination, to promote fair housing choice, and to develop inclusive communities.

People with disabilities face barriers to affordable housing because of the lack of accessible options and/or the units are too far from critical services. People with disabilities live in poverty at more than twice the rate of people without disabilities, and they are less able to afford housing, increasing their chances of institutionalization or homelessness. It is essential that jurisdictions receiving funding from HUD expand integrated, affordable, and accessible housing options in communities for people transitioning from institutions or congregate settings or those at risk of institutionalization. Despite attempts by the previous administration to weaken the Obama administration's AFFH rule, HUD has recently issued a new rule to ensure that HUD grantees take meaningful actions to address significant disparities in housing needs and access to opportunity, and to foster and maintain compliance with civil rights and fair housing laws.

### Submitting Complaints to HUD

The laws and rules described in this article protect individuals and families from housing discrimination, and you should feel empowered to hold states, jurisdictions, and companies accountable.

If you or someone you know is a victim of housing discrimination, call: (800) 669- 9777 or file a complaint online [here](#). HUD provides a toll-free teletypewriter (TTY) line: 1-800-877-8339. You can also ask for disability-related assistance when you contact HUD's Fair Housing and Equal Opportunity office, including reasonable accommodations and auxiliary aids and services.

You can file a complaint in any language. For persons with limited English proficiency, HUD provides interpreters and a [Spanish-language version](#) of the online housing complaint form. Find descriptions of your fair housing rights in several languages other than English [here](#).

# EMERGENCY RENTAL ASSISTANCE PROGRAM TRACKING & SPENDING

To respond to the COVID-19 crisis, Congress passed two laws to fund the U.S. Department of the Treasury Emergency Rental Assistance (ERA) Program, totaling \$46.55 billion. The Treasury ERA program has given funding to states (including the District of Columbia), territories, Tribal governments, and local governments to disburse to landlords and renters in need. NLIHC tracks and analyzes information on each jurisdiction's program and shares best practices to make sure the \$46.55 billion of funding are equitably distributed. Visit NLIHC's Rental Assistance webpage to find your local ERA program (<https://nlihc.org/rental-assistance>).

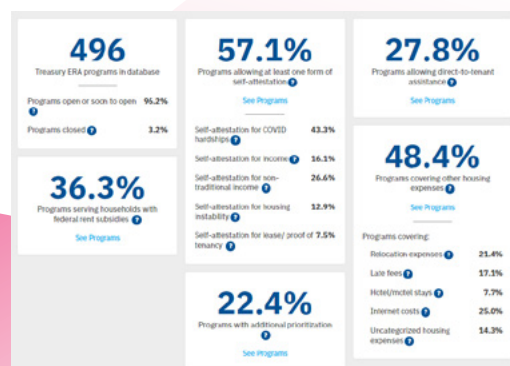
As of September, NLIHC was tracking nearly 500 ERA programs covering all 50 states, DC, 376 cities and counties, 182 Tribal governments, four U.S. territories, and the Department of Hawaiian Home Lands. These programs represent 98% of the \$25 billion provided in the first round of funding.

Programs have been slow to get money out the door. According to NLIHC's tracking, program administrators [spent or obligated \\$8.4 billion \(33.7%\)](#) of their ERA 1 allocations as of mid-September. The Department of Treasury (Treasury) recently released ERA spending numbers through the end of August, with programs spending or obligating \$7.5 billion and serving approximately 1,400,000 households through that time. Nearly 1.5 million families helped is meaningful progress, but the overall rate of spending of emergency rental assistance remains too slow. Some states and jurisdictions are distributing ERA quickly and well - proving that it's possible and making states and jurisdictions that aren't all the more glaring and unacceptable.

To serve tenants more effectively, program administrators need to allow tenants to self-attest to qualifying to eligibility criteria. Self-attestation can replace source documentation and thus reduce barriers for tenants and can also help reduce application processing time for program staff. In addition, program administrators can and should pay tenants directly if landlords are not responsive.

As of September, 57% of programs allow for self-attestation for some eligibility criteria instead of asking for documentation and 28% of programs clearly allowed for payments to be made directly to tenants. More programs must implement these critical measures to ensure they meet federal requirements and to help the most marginalized tenants more efficiently and effectively.

To learn more about the adoption of key program design features, visit NLIHC's ERA Dashboard (<https://nlihc.org/era-dashboard>).



# MAKING ERA PROGRAMS MORE ACCESSIBLE FOR PEOPLE WITH DISABILITIES

Safe and affordable housing remains out of reach for millions of people with disabilities and their families. People with disabilities are more likely to face homelessness and housing instability, which has been made worse by the COVID-19 crisis and the accompanying economic fallout. To respond to the COVID-19 crisis, Congress passed laws to fund emergency rental assistance (ERA) programs, totaling \$46.55 billion. Despite the large amount of funding available, tenants with disabilities may have trouble accessing ERA due to a lack of accessibility.

Based on a poll conducted by the National Disability Rights Network, there are four major barriers preventing individuals with disabilities from applying for ERA: 1) inaccessible websites, 2) applications not provided in plain language, 3) lack of trained staff to help, and 4) lack of TTY (teletypewriter) services.

Because ERA programs are funded through federal dollars, they must be compliant with Section 508 of the Rehabilitation Act. Under Section 508, websites need to be accessible for people with disabilities. Websites are often inaccessible because they do not work well with screen-reading software, which reads displayed text out

loud and enables individuals who are visually impaired or blind to access digital content. Because most programs provide program information online or require a tenant to apply online, incompatibility with screen-reading software can be a large barrier. In addition, ERA applications and websites frequently use complex language, making it difficult for tenants, especially tenants with intellectual or developmental disabilities, to learn about ERA programs. Further, many ERA programs do not have staff trained to help with applications or answer questions. While most programs provide TTY services, which allow individuals who are deaf or hearing impaired to communicate with staff through typed text, the services are not universal across all ERA programs.

There are several resources that ERA program administrators can use to make their programs more accessible. The [ADA National Network](#) provides resources as does [ADA.gov](#). ERA program administrators can also work with individuals with disabilities to design and test their websites and applications together to better address any potential barriers or roadblocks these members of their communities may face.



# THE SHORTAGE OF AFFORDABLE, AVAILABLE, AND ACCESSIBLE RENTAL HOMES

**N**LIHC's annual [The Gap: A Shortage of Affordable Homes report](#) helps quantify the shortage of affordable and available homes for the lowest-income renters in the U.S. In the report released in March 2021, NLIHC found that there are only 37 affordable and available homes for every 100 extremely low-income renters. There is a shortage of nearly 7 million affordable and available homes for the 10.8 million extremely low-income renter households across the country. As a result, 70% of these households are severely housing cost-burdened, spending more than half of their incomes on rent and utilities. This shortage is a long-term problem that requires significant government action. The market on its own will never

produce an adequate supply of affordable, accessible homes for all renters.

There are racial and ethnic disparities in who is likeliest to suffer because of this affordable housing shortage. People of color are much more likely than white people to have extremely low incomes, and they are more likely to be renters. While 6% of all white, non-Latino households are extremely low-income renters, 20% of Black households, 18% of American Indian or Alaska Native households, and 14% of Latino households are extremely low-income renters.

The shortage of affordable and available homes for the lowest-income renters is also a shortage of accessible homes. Renters with disabilities and older



PHOTO BY BRIAN LUNDQUIST. WOMAN WORKING CASH REGISTER. MIAMI, FL, USA. PUBLISHED ON FEBRUARY 18, 2021.

renters with impairments are likely to struggle to find adequate homes that meet their needs. Thirty percent of extremely low-income renter households are seniors, with a head of household 62 years or older. In another 18% of extremely low-income renter households, one adult member of the household has a disability. Together they account for over 5 million households. These households are likelier to need particular accessibility features like grab-bars, extra-wide hallways, or entry-level bedrooms, which further limit their housing options. As of 2011, though, just 3.5% of all homes had these basic accessibility features (Joint Center for Housing Studies, 2020). While homeowners and higher-income households can add such features, the lowest-income renters often cannot. As a result, extremely low-income older renters and renters with disabilities often face an even more severe struggle to find an affordable, available, accessible home.

When individuals and families are housing cost-burdened, they often have to cut back on basic necessities like food, transportation, and healthcare, and they often have no ability to save for emergencies. COVID-19 was just such an emergency. The vast majority of jobs lost in 2020 were held by the lowest-wage workers, who were less likely to be able to perform their jobs remotely. Black people, Native Americans, and Latinos are more likely than white people to experience homelessness or overcrowding, and they were at greater risk of contracting the virus. At the height of the pandemic, over 30% of the lowest-income renters said they had fallen behind on rent, and half of them anticipated an eviction if they did not receive help. Renters with mobility issues, difficulty seeing or hearing, or cognitive limitations were all more likely than renters in general to have fallen behind.

PHOTO BY THE BIALONS ON UNSPLASH



# THE COST OF RENTAL HOUSING IS OUT OF REACH, ESPECIALLY FOR PEOPLE WITH DISABILITIES

**N**LHC published in July [Out of Reach 2021: The High Cost of Housing](#), which highlights the gulf between the wages people earn and what they need to earn to afford their rent. The 2021 national Housing Wage is \$20.90 per hour for a modest one-bedroom rental home and \$24.90 per hour for a modest two-bedroom home. That means that on average, someone who works 40 hours per week all year round must earn \$24.90 per hour to be able to occupy a modest two-bedroom home without becoming housing cost-burdened. The average renter's hourly wage is just \$18.78 per hour, however, and of course minimum-wage workers earn even less.

While the cost of housing varies across the country and some states and cities have higher minimum wages than the federal level of \$7.25 per hour, nowhere in America can a full-time, minimum-wage worker afford a modest two-bedroom rental home. On average, a minimum-wage worker would need to work nearly 79 hours per week to afford a one-bedroom home or 97 hours per week to afford a two-bedroom.

Eleven of the twenty largest occupations in the country pay a lower median hourly wage than what a full-time worker needs to earn to afford a modest rental home. Food and beverage serving workers, retail sales workers, home health and personal care aides, and building cleaning and pest control workers do not earn enough to afford decent housing in their communities.

Low-wage workers are not the only renters that struggle to afford their housing. Over 1.7 million renter households have a non-elderly householder with a disability not in the labor force. An individual relying on federal Supplemental Security Income (SSI), which is only \$794 per month, can afford just \$238 per month

for rent, and SSI payments are less for those who have other sources of income. The Fair Market Rent for a one-bedroom rental home in 2021 is \$1,061 per month, and the Fair Market Rent for a two-bedroom home is \$1,295. In many states, renters with disabilities will not have enough to afford modest rental homes where they live. The Technical Assistance Collaborative's regular report, [Priced Out: The Housing Crisis for People with Disabilities](#), goes into greater detail about the struggle for renters with disabilities and makes clear the extent to which SSI payments are insufficient across the country for these renters.



PHOTO BY ASHWINI CHAUDHARY ON UNSPLASH

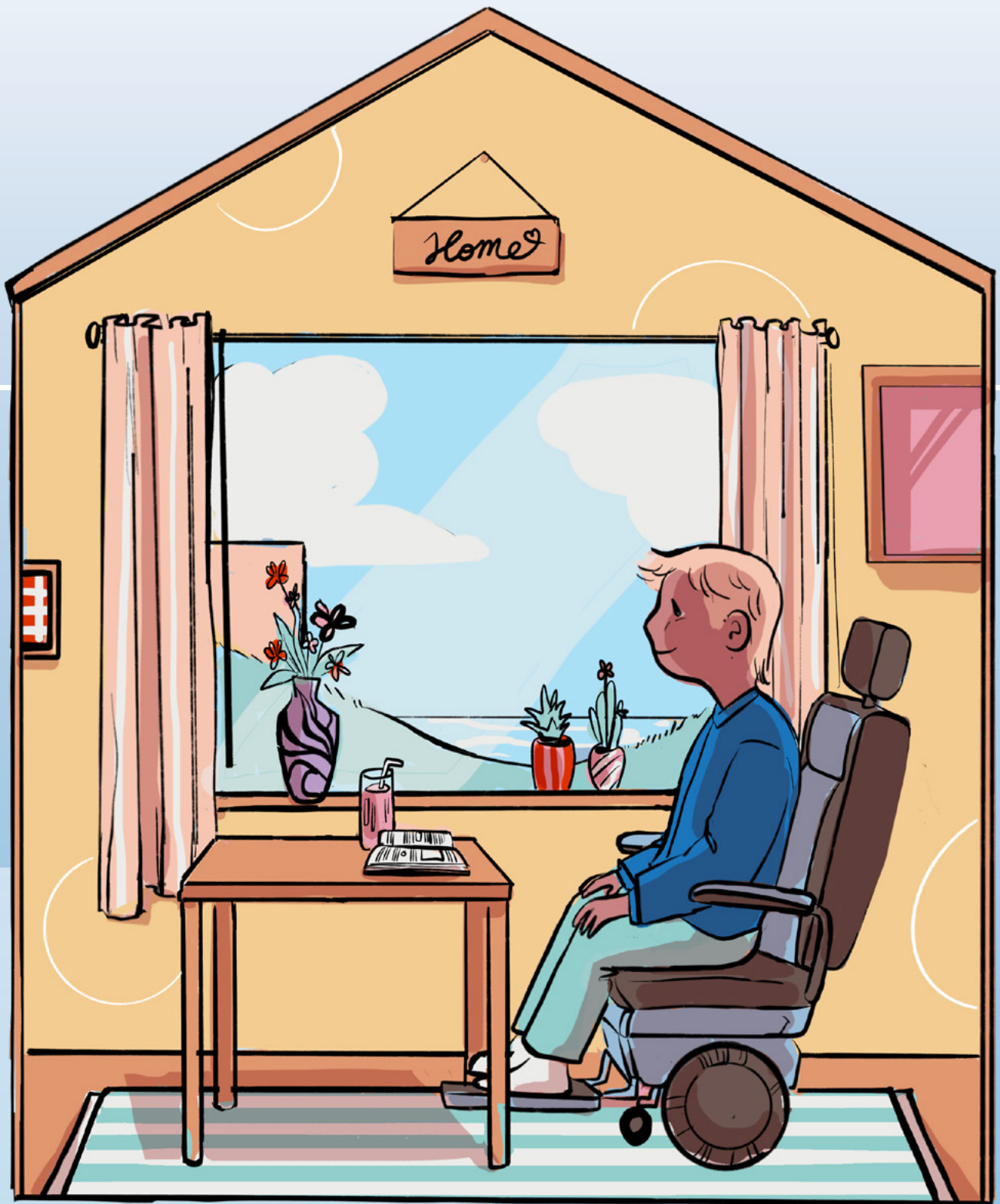


ILLUSTRATION BY SEULGT SMITH. "EDGAR SITTING AT THE TABLE, MINDING HIS BUSINESS".

“THERE IS NO GREATER DISABILITY IN SOCIETY, THAN THE INABILITY TO SEE A PERSON AS MORE.”

— ROBERT M. HENSEL.