

Mainstream and Non-Elderly Disabled (NED) Vouchers

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Administering Agency: HUD's Office of Housing Choice Vouchers (HCV) within the Office of Public and Indian Housing (PIH)

Number of Persons/Households Served: HUD estimates that there are 54,727 Non-Elderly Disabled Housing Choice Vouchers and 68,091 Mainstream Housing Choice Vouchers.

Year Started: Since 1997, Housing Choice Vouchers (HCVs) have been awarded under different special purpose voucher program types to serve eligible people with disabilities under age 62.

Population Targeted: A household composed of one or more non-elderly persons with disabilities, which may include additional household members who are not non-elderly persons with disabilities. Non-elderly persons are defined as persons between ages 18 and 61. The qualifying person with a disability does not have to be the head of household. See the specific program guidelines for eligibility criteria.

Funding: Consolidated "Appropriations Acts," 2017-2019, made approximately \$500 million available for new Mainstream voucher assistance, the first funding for new Mainstream vouchers since 2005. These funds resulted awards for over 50,000 vouchers.

HISTORY

Before 1992, federal housing statutes defined "elderly" to include younger people with disabilities. As a result, many (but not all) properties built primarily to serve elders, such as the Section 202 program, also had requirements to serve people with disabilities. Depending on the HUD program and NOFA under which a property was funded, the occupancy policy might

have included a requirement to set-aside 10% of their units for people with mobility impairments of any age, a set-aside to serve non-elderly people with disabilities, or the policy might have provided non-elders with equal access to all the units.

The occupancy policies that resulted in elder and non-elders living together became controversial in the late 1980s and early 1990s. In response to this controversy, Congress passed Title VI of the "Housing and Community Development Act of 1992," which allowed public housing agencies and certain types of HUD-assisted properties to change their occupancy policies. The law allowed public housing agencies to designate buildings or parts of buildings as elderly-only or disabled-only; PHAs had to develop and receive HUD approval for a Designated Housing Plan before such a designation could be made. The law also allowed some HUD-assisted housing providers to house only elders and others to reduce the number of non-elderly applicants admitted.

Between 1996 and 2009, Congress appropriated voucher funding to compensate for the housing lost to younger people with disabilities as a result of the 1992 law. These funds were appropriated through a variety of programs; the specific programs are described in the next section of this article. Note that many of these NED vouchers are called Frelinghuysen vouchers because then House Appropriations Chair Rodney Frelinghuysen (R-NJ) advocated for their funding.

One of these programs is the Mainstream Voucher Program. Between 1996 and 2002, Congress allowed HUD to reallocate up to 25% of funding for the development of new supportive housing units for non-elderly people with disabilities toward tenant-based rental assistance. During this period, approximately 15,000 incremental vouchers were awarded to public housing agencies (PHAs) for this targeted population under the 811 Mainstream Program.

Consolidated Appropriations Acts, 2017-2019, made approximately \$500 million available for new Mainstream voucher assistance, the first funding for new Mainstream vouchers since 2005. Only PHAs that administer Housing Choice Voucher (HCV) assistance and non-profits that already administer HCV Mainstream assistance were eligible to apply. In awarding some of the voucher funding, HUD provided points for applications that included partnerships between housing and services/disability organizations, especially those that targeted housing assistance to assist people with disabilities who are transitioning out of institutional or other segregated settings, at risk of institutionalization, homeless or at risk of becoming homeless, or were previously homeless and now participate in a permanent supportive housing or rapid rehousing program (“move-on”).

PROGRAM SUMMARY

The Mainstream and NED Voucher Programs are a component of the HCV program. Congress appropriated NED vouchers under a variety of different appropriations and HUD allocated funds under differing program NOFAs.

Although different programs have differing target sub-populations, all target non-elderly people with disabilities and all operate under the HCV regulations and guidance, with slight modifications as provided in the original NOFA or subsequent Notices. Upon turnover, these vouchers must be issued to non-elderly disabled families from the PHA’s HCV waiting list.

The following describes the specific NED programs administered by PHAs:

- **NED Category 1** vouchers enable non-elderly persons or families with disabilities to access affordable housing on the private market.
- **NED Category 2** vouchers enable non-elderly persons with disabilities currently residing in nursing homes or other healthcare institutions to transition into the community.
- **Designated Housing Vouchers** enable non-elderly disabled families, who would have been eligible for a public housing unit if

occupancy of the unit or entire project had not been restricted to elderly families only through an approved Designated Housing Plan, to receive rental assistance. These vouchers may also assist non-elderly disabled families living in a designated unit/project/building to move from that project if they so choose. The family does not have to be listed on the PHA’s voucher waiting list. Instead, they may be admitted to the program as a special admission. Once the impacted families have been served, the PHA may begin issuing these vouchers to non-elderly disabled families from their HCV waiting list.

- **Certain Developments Vouchers** enable non-elderly families with a person with disabilities who do not currently receive housing assistance in certain developments where owners establish preferences for, or restrict occupancy to, elderly families to obtain affordable housing. These are HUD assisted private properties funded as those under the Section 8 new construction or Section 202 programs. Once the impacted families have been served, the PHA may issue vouchers to non-elderly disabled families from their HCV waiting list.
- **Mainstream Housing Opportunities for Persons with Disabilities Vouchers** enable non-elderly disabled families on the PHA’s waiting list to receive a voucher.
- **Project Access Pilot Program** (formerly Access Housing 2000) provides vouchers to selected PHAs that partnered with State Medicaid agencies to assist non-elderly disabled persons transition from nursing homes and other institutions into the community.

FUNDING

Consolidated Appropriations Acts, 2017-2019 made approximately \$500 million available for new Mainstream voucher assistance, the first funding for new Mainstream vouchers since 2005. These funds were awarded to PHAs up through the end of calendar year 2020.

FORECAST FOR 2023

The “FY22 Appropriations Act” provided \$459 million for the Mainstream Program. Although the FY23 Appropriations bill has not yet passed as of this writing, the president’s, House and Senate’s budgets all agree to a level of \$667 million, enough to fund all allocated vouchers; funds are not intended to fund any new Mainstream vouchers in FY23.

WHAT TO SAY TO LEGISLATORS

Advocates are encouraged to contact their Members of Congress with the message that people with disabilities continue to be the poorest people in the nation. TAC’s publication *Priced Out* reported that over \$4 million non-elderly adults with significant and long-term disabilities have Supplemental Security Income levels equal to only 20% of AMI and cannot afford housing without housing assistance. Because of this housing crisis, many of the most vulnerable people with disabilities live unnecessarily in costly nursing homes, in seriously substandard facilities that may violate the “Americans with Disabilities Act,” or are homeless. Mainstream and other NED vouchers can help the government reach its goals of ending homelessness and minimizing the number of persons living in costly institutions. Advocates should encourage their Members of Congress to continue to increase funding for Mainstream and NED vouchers in order to address these critical public policy issues. Advocates should also encourage Members of Congress to incorporate the types of waivers that made the Emergency Housing Voucher (EHV) program successful, into the Mainstream program language as well.

FOR MORE INFORMATION

Technical Assistance Collaborative, 617-266-5657, www.tacinc.org. TAC’s Mainstream and NED voucher database by state can be found at https://www.hud.gov/program_offices/public_indian_housing/programs/hcv/dashboard.

Consortium for Citizens with Disabilities (CCD) Housing Task Force, http://www.c-c-d.org/rubriques.php?rub=taskforce.php&id_task=8.

HUD’s NED web page, https://www.hud.gov/program_offices/public_indian_housing/programs/hcv/ned.

HUD’s Mainstream Voucher Program, https://www.hud.gov/program_offices/public_indian_housing/programs/hcv/mainstream.